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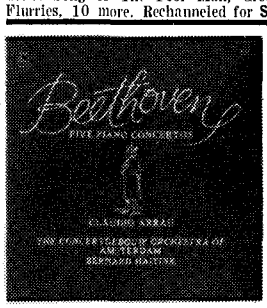

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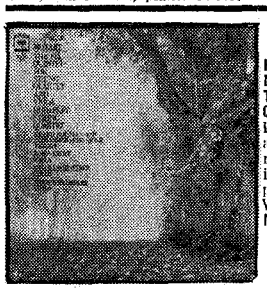

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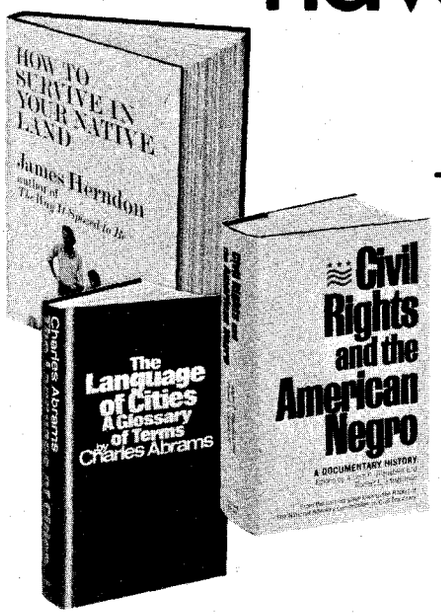
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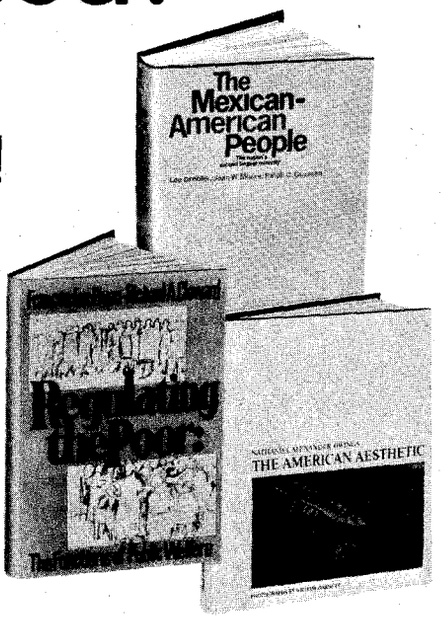

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A Primer For Poor People

Mrs. Jones, who lives with an unemployed son and four small children in a dirty walk-up apartment in the Bronx, was being polled the other day on how she likes the new Nixon wage-price freeze which has sent the stock market dancing. It turned out that Mrs. Jones doesn't understand it.

Mrs. Hepplethwaite, the pollster, a tidy woman with a son in college, explained about the 10 percent investment tax credit. "It goes to a corporation if it will buy new plants and machinery," she said. "This stimulus to business will cost the Treasury $5 billion a year.

"That's a mighty big thing," said Mrs. Jones appreciatively.

"You like it, eh?" said Mrs. H., putting down a check. "I don't mean to be patronizing but I guess you didn't know that our President, that's Mr. Nixon, last January 9 by executive order, and without the direction of Congress, gave corporations an earlier tax boost of $4 billion by a more generous depreciation allowance?"

"Sure nuff?" said Mrs. Jones comfortably. "Five and four is nine for them big companies. I do like those billions."

Mrs. Hepplethwaite put down another check. "I think I should tell you that a radical named Ralph Nader is trying to stop that earlier tax cut in the courts," she said. "He claims the President has no right to grant it."

"Don't we all have troubles?" said Mrs. Jones. "My John, now, he got laid off. How soon they going to have these new plants and machinery to give him a job?"

"Oh," said her informant kindly. "About 23 percent of US plant capacity is now idle mostly because consumers are not buying goods and people like your John (I'm sorry about him, incidentally) have lost jobs. But as soon as the new plans are drawn, and the land purchased, they can start building. That will mean lots of new jobs in a year or two."

"That's some time," said Mrs. Jones doubtfully. "Ma'am, can you tell me what I get out of it?"

"Oh, that's my next point," said Mrs. H., repressing a shudder at a cockroach under the sink. "You know Congress voted to make cuts in the personal income tax? It's kind of technical, Mrs. Jones, but I'll explain it. When you make out your income tax you get automatic exemptions for those fine children of yours—$650 each next year? Well, Mr. Nixon wants Congress to give you an extra $50 on that exemption! Now what do you say to that?"

Mrs. Jones said it's fine but at her income she doesn't pay any income tax.

"Oh," said Mrs. H. "Oh." She looked around at the room teaming with children (each one a wasted tax exemption) and sighed at how the poor misuse their opportunities – 26 million or more of them now, too. She checked down a "No opinion."

"I guess I know your answer to the next question," she said brightly. "Mr. Nixon is going to remove the 7 percent tax on new cars, saving $200 each, and costing $2 billion a year. What do you say to that?"

Mrs. Jones said "Fine, fine," and made like she was delighted. She doesn't own a new car and never expects to.

"Well," said Mrs. Hepplethwaite, trying again, "I notice that those canvas shoes your little exemptions (I mean children) are wearing come from Italy, and that toy from Japan, and your synthetic fiber dress from Taiwan. You'll be interested to know, Mrs. Jones, that we are attacking unemployment by putting a 10 percent surcharge (that's a kind of tariff) on most non-quota foreign imports; it's quite impartial; in effect, it will fall on French champagne, ha, ha, which I guess you don't drink much of, and all imports, and it may spread employment all around."

"Will it make them Woolworth sneaks cost more money?" asked Mrs. Jones.

"Well, I don't mean to influence your opinion; it will raise the cost only 10 percent, but ultimately it may put more Americans to work, and it will help investors at once. You can see for yourself how the stock market is behaving."

"Ain't that a fact," said Mrs. Jones.

"Well, you don't have to take my word for it," said Mrs. H. crossly. "The market stood at 856 when it opened August 16 (the morning after Mr. Nixon's speech) and last Tuesday it crossed the 900 mark. As the paper says – 'thus penetrating the psychologically important 900 resistance level.' My stars!" she exclaimed, "What was that?"

"Oh, only a rat, ma'am. They come in after the garbage in the hall. Sorry it disturbed you. They won't bite anybody mostly 'cept babies."

"Just babies," said Mrs. Hepplethwaite.

"But there's one thing I wanted to ask you, ma'am. I did hear something about a welfare program Mr. Nixon was going to pass through Congress? It sounded awfully good to me; $2400 for a family of four, they said. I surely could use that, ma'am, and I'd spend every cent of it!"

Mrs. Hepplethwaite explained that Mr. Nixon had had to postpone the welfare program in order to save enough money on the budget so he could get enough money to pay for the tax cut to the car makers in Detroit and for the investment tax credit, and maybe pay an export bonus to manufacturers later on.

"Well," said Mrs. Jones, "I'm sorry. I'm right sorry! But I do hope he's going to help out the state, somehow, and this city. They so broke they are going to cut back school and relief payments."

Mrs. H. explained that Mr. Nixon had had to postpone revenue-sharing, too, and tried to ignore a couple of little unused tax exemptions kicking each other in the shins with their 10 percent surcharge sneakers.

"I do thank you for coming and explaining it to me, ma'am," said Mrs. Jones, as her visitor rose. "I don't get many of them golden dollars the government is cutting itself loose from. But you know, I got a funny idea. It's fine if folks like this freeze, and that stocks are going up and all! But I got a notion that us poor people who paid the cost of bad times when they came, are going to have to pay the cost of them again, when they go. Good afternoon, ma'am. Mind the garbage! And thank you."

Well, that's the story of Mrs. Jones and Mrs. Hepplethwaite. And meanwhile without a word of explanation Mr. Nixon has quietly reversed his economic theology from the eccentric monetarist school of Milton Friedman and George Shultz to the conventional wisdom of Arthur Burns and Paul Samuelson; a jump as spectacular in its way to economists as that of Henry VIII from Catholicism to Protestantism.

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The New Nixonomics

Most of the initial reaction to the new economics was generously positive, though in some quarters with important qualifications. Organized labor, or most of it, sees the price-wage-rent freeze as violating newly sanctioned contracts. The Democratic National Committee points out that the tax recommendations favor big business and slight the middle class. A very few, such as Gov. Preston Smith of Texas, on the sacred ground of states' rights, have clashed with the President's program head on. (See Ralph Nader's objections on page 15.) But by a majority of both parties and by much of the public, the general technique and thrust of the new Nixonomics have been greeted with lavish praise – we believe, far too lavish – even from Democratic legislative leaders like Senator Mike Mansfield and Congressman Wilbur Mills, presidential hopeful Muskie and economic advisers Arthur Okun and Paul A. Samuelson.

Since our own dissent is fundamental, we must acknowledge at once that there are *some* plus signs in the new economic program. We, too, were pleased at the administration's shift from dreary watchful waiting to vigorous economic intervention, or as economist Walter Heller said, from a policy of no, no, to go, go! Few will quarrel with the historic divorce of the dollar from gold, which was in fact long overdue, or with a *temporary* 10 percent import surcharge, so long as they lead to the more fundamental reforms required to stabilize international trade. It may also be conceded that in the period just ahead, the employment level might rise somewhat, and while the freeze lasts, muddled and hasty though it was, the spiral in prices, wages and rents will no doubt be markedly retarded. These are far from minor accomplishments, though it should not be lightly forgotten that two years of senseless recession and unemployment made most of the President's new measures necessary.

Our chief concern is with what happens, especially on the domestic scene, after the emergency measures have run their course. In particular, note that the 90-day wage-price-rent freeze can be extended at best to six months, and perhaps in the light of union opposition and the dynamics of economic life, not that long. Meanwhile the President's new fiscal policy will be pumping out purchasing power and stimulating the nation's expenditures and production. Even assuming that the price freeze is ultimately replaced by "jawboning," with

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the aid of some kind of toothless wage-price board (as the President's Cost of Living Council has hinted), is it likely that inflation will be held in check? And if it is not, are we due for another "corrective" recession, perhaps *after* the November 1972 election?

"Zigs" of inflation have always been followed by "zags" of corrective recessions, under Democratic as well as Republican administrations, ever since World War II. (See Melville J. Ulmer, "Applied Nixonomics: The Inflation/Unemployment Seesaw," *NR*, April 24, 1971.) Nor has jawboning, however eloquent and energetic, ever managed to stem the inflationary tide once a business upswing gathered force. Thus wage-price guidelines, along with any hope for effective jawboning, collapsed entirely in 1966, an incident that some Democrats conveniently forgot when they berated Nixon three and four years later for not using the same technique. They may get their way, finally, when the freeze melts. Meanwhile, we are reserving enthusiasm for an imaginative program that will get at the roots of economic instability, as Mr. Nixon's fails to do.

The Nixon program features proposed tax cuts, with special bonanzas for big business, that are quite likely to get through Congress more or less intact. Simultaneously, a reduction in government spending was proposed that has slim chance of being fully realized, in the light of appropriations already approved by Congress and in most instances by the President himself, although prospective increases for certain items such as welfare may be cut back. In any event, the tack taken by the President is just the opposite of the one required to put the nation on a course that can possibly lead toward true stability – full employment with little or no inflation. We need to increase public spending, not reduce it, for environmental improvement, medical care, urban renewal, education, welfare, mass transportation and the other elements of the public sector that have been callously starved. We need to put to work directly, through public employment, those who would be absorbed in the private sector only under the most inflationary conditions – the unskilled, many semiskilled, many blacks, as well as the engineers, physicists, prospective teachers and others who are jobless because of special circumstances or skill obsolescence. Accomplishing these objectives requires keeping taxes unchanged for the time being, and then increasing them as the economy moves forward. As a further guard against inflation we favor mandatory selective controls on prices, wages and other incomes.

President Nixon hailed his own economic program as the most comprehensive in 40 years. Perhaps 38 years ago, when Franklin Roosevelt was preparing a peaceful revolution that ultimately transformed society, Nixon's present proposals might have seemed fresh and ingenious, although conservatively biased. Today tax reductions to stimulate business, a limited price freeze and jawboning seem all too familiar, and not likely to make the future any different from the past.

The Generals

As the election circus went on around him last week, President Thieu remarked, without a smile, that Vice President Ky had "purposely created a crisis" by refusing to run against him. But it was those inscrutable Americans who were really eager for a show candidacy. Thieu himself had jailed the runner-up candidate from the 1967 elections, forced Ky off the ballot, confiscated almost daily the opposition press, and ordered the province chiefs to do whatever they needed to do to insure his reelection. The race is not in doubt, anyway – as wartime incumbent, Thieu controls not only the media but billions in US aid.

Though the US has paid for military regimes of various constitutional hues, it still affects an innocence of Saigon palace politics. Our army has been put on "yellow alert," as if by chance it might become mixed up in the internal affairs of the Vietnamese. The whole episode only proves Ellsworth Bunker can't run his own colony well.

America's real motive through it all has been to keep the Vietnamese army intact, at whatever the cost to diplomatic face. Despite official statements, some observers think Washington was content to see Ky engineered out of the race last month. It has been Ky, not General "Big" Minh, who most threatened the US stake in the war: an independent South Vietnamese army and a unified official command. Minh may have the backing of the peace groups – for what that's worth – but Ky's bid for power would split the army.

This huge army, the Frankenstein of Vietnamization, has become the sole political actor in the country. It not only directs the war but administers the provinces. Colonels and majors double as province chieftains, controlling the flow of funds from Saigon down to the village level. They also keep tight rein on most of Thieu's million-man army.

Beyond trumping up the October elections, Thieu feels he must tear up Ky's power base in the air corps, which Ky once commanded. This air force, now the fifth largest in the world, consists of 36 squadrons of US planes, and Ky has benefited almost inadvertently from this crucial build-up in our military aid. Such air power adds weight to veiled threats of a military coup recently made by Ky.

For all Ky's risk to military security, the Nixon administration finally preferred Ky to no candidate at all, but now there is not even Ky. Not that Thieu will be spared any of the ace warrior's mischief in his remaining weeks as Vice President. Ky still speaks for a dangerous proletariat – the 200,000 disabled veterans living on wretched pensions and the Vietnamese soldiers whose wages remain eight inflationary years behind those of other government employees. He can dramatize the corruption of the officers and the sagging morale of the infantry. His most damaging point, against the US as well as the Saigon government, is

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the spectacular climb in the desertion rate, beginning with the disastrous invasion of Laos last February. Ky is even flirting with the left, talking vaguely about "alternatives to conflict." His struggle for power inside the army, ironically, may rally to it the supporters of General Minh. At the moment they will support anything on the political landscape that moves, hoping for a more open political climate.

Perhaps, though, the election scandal will most help Thieu. With no democratic facade left to protect, he can be even less squeamish about shutting down dissent – especially in the army, the only quarter that really matters. As for the Nixon administration, it protests too much the demise of any semblance of democracy in Saigon. From the start, it based its Vietnamization program not on constitutional stability but on military stability. It is the army, new in size and questionable in spirit, which must be kept free from dissension if it is to carry out US combat plans in Asia.

Round Two

In the Berlin accord announced last week, the four powers moved to phase out the classic symbol of the Cold War. They did more than guarantee access to the city through 110 miles of East German territory. The Soviets themselves now promise to police the agreement, even at the expense of the traditional sovereignty of East Germany in these matters. Berlin was the price they had to pay to stabilize their European flank – an overriding objective in Moscow these days. The NATO countries demand a settlement before joining a mutual security conference to demilitarize Central Europe. Also on such a settlement hinged the future of West Germany's *Ostpolitik*. Willy Brandt had told the Soviets that he would submit their 1970 nonaggression pact to the Bundestag only if they yielded a bit on Berlin. Washington, too, was using the Berlin impasse to stall on Russian overtures for troop reductions.

But a Berlin settlement which makes the Soviets responsible for too much will run into trouble. Round two of the Berlin talks will now begin between the East and West Germans, for these countries must hammer out the specifics of last week's accord. That agreement will be impossible if Erich Hohnecker and the Pankow regime are not compensated. On the political links permitted between Bonn and West Berlin, the four-power settlement was more generous than the West Germans had any right to expect. The "federal presence" of the Bonn government in the city includes over 20,000 West German officials and employees. Such special ties deeply humiliate the East Germans, who are sensitive about the territorial integrity of their country. They will be demanding from Bonn and the West more practical recognition of the role they play in European politics – a role the United States and NATO may have to honor before proceeding to troop reductions and further Cold War detente.

Ulster Stew

Ireland is now closer to civil war than at any time since 1922, when it was granted independence under "the Treaty" with Britain. The situation recalls images of the past – not just of last year's riots, or the riots of 1969, but of the bitter civil war of 1921-23, and of Ireland's 300 years of religious and political strife. Other countries seem to come to terms with the past, but in the six counties of Ulster, Protestants and Catholics go on fighting their ancient, private battle for which outsiders can feel little empathy.

In the last weeks, citizens and government officials alike have taken actions that strain the already tense atmosphere in Northern Ireland. On August 9, Prime Minister Brian Faulkner of Northern Ireland's Protestant-dominated parliament announced that criminal suspects would be rounded up and held without trial. Three hundred were taken in, most of them Catholic activists or members of the outlawed Irish Republican Army (IRA), which since 1916 has advocated the violent overthrow of the Protestant-unionist governing class in Ulster. Some of those arrested, including two members of the Northern Irish parliament, were neither extremists nor advocates of violence. Three days of bloody riots followed.

Meanwhile, British Prime Minister Edward Heath, who was sailing in his yacht off the Irish coast, decided that he would *not* call back his cabinet from vacation to cope with the crisis; he felt that all was under control. The latest provocation comes from Ireland's Prime Minister John Lynch. He has said that unless Britain stops trying "military solutions" (internment), he will support the policy of passive disobedience initiated by Catholic leaders in the North.

The Dublin government usually remains silent about Ulster troubles, but Lynch's announcement indicates that he may be ready to act. Feelings of hostility are so constant in Northern Ireland that almost any action – even talking – only seems to raise the temperature and bring the stew to a boil. Catholics in the South have always dreamed of annexing Ulster, and Protestants have always feared being overwhelmed by the "papist menace." If either Dublin or Ulster makes a strong move, bloodshed will follow.

The only chance for solving this practically insoluble problem is through more talk. James Callaghan – former Home Minister under Harold Wilson – has called for an "all-Ireland council" and Prime Minister Lynch has said he is willing to come. Northern Ireland's Prime Minister Faulkner considers this sugges-

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tion "meddling in Ulster's affairs," as does Heath. If all three ministers could relax their politics, they might be able to talk their way to a solution.

More on Lindsay

The orthodoxy of John Lindsay's Republicanism was always suspect in a national party that has been dominated for decades by a chamber of commerce (senior and junior) mentality. True, Lindsay like Senator Jacob Javits and Representative Ogden Reid and Seymour Halpern of New York, could claim a certain political legitimacy tracing back to an earlier era of progressive Republicanism, the era of Theodore Roosevelt and the Bull Moosers. But differences between the mayor of New York and the GOP forced a formal separation last year when Lindsay was denied renomination by the Republicans and was reelected anyway. Now the divorce has become final, few tears have been shed by the Republican establishment, the Ripon Society notwithstanding.

But as we noted last week, cheers from the Democrat side have not been deafening and there have been a few sneers. Senator George McGovern's response is a case in point. The mayor's return to Miami Beach in '72, said McGovern, would be interesting, since Lindsay on his previous visit to that city had seconded the vice presidential nomination of Spiro Agnew. The remark was gratuitous. Lindsay may not win the derby, but he is a gift horse. Moreover, the slap ill-serves the Senator's own ambitions or objectives, for John Lindsay is certain to be one of, if not the most, powerful and magnetic Democrats in New York State. He has joined the party of George McGovern not only because there is no future for him personally in the GOP, but because he opposes, as McGovern does, the pointless US military presence in Indochina; because he finds intolerable the incapacity of government to master the twin evils of unemployment and inflation; because he believes that our sinking cities cannot be saved without a far larger federal commitment; because he thinks that civil order and civil liberties are complementary, not incompatible; and because, again like McGovern, he sees in the Democratic Party a promise – no more than that – of national renewal.

The mayor has made enough mistakes, and been blamed for even more mistakes that were not of his making, to have lost any reputation for omnipotence or invulnerability. One will not find any large numbers of New Yorkers who argue that the Lindsay administration has produced the Heavenly City or even the Fun City. Nevertheless, the switch does open a way to the long-delayed restoration of the Democratic Party in his state as a united, intelligent and humane political force, as it was in the days of FDR, Herbert Lehman and Averell Harriman. Lindsay has not defected to the camp of bankrupt bosses or to mediocrity or to fragmentation. He has defected to a more vital progressive tradition in New York, and that is bound to be a boon to the Democrats.

Human Shuttlecocks
Indians of East Africa

Early in 1969, Gordhandass Shah, a resident of Kenya for 35 years and holder of a British passport, was told by the government that under its new Immigration Act, he was no longer able to continue working in Kenya, and that he should leave the country within three months. Being a British citizen, he contacted the British Embassy to make arrangements for moving to England. He discovered at the Embassy, however, that because he was not a *white* British citizen, there were severe restrictions on his right to enter Britain, and that in fact it would not be possible for him to go there in the foreseeable future.

When the three months the Kenya Government had allowed Mr. Shah were up, he was arrested and tried in criminal court for being in Kenya illegally. His argument that the country of his citizenship, the only country he was eligible to go to, would not admit him was found unacceptable, and he was jailed, later to be deported to England.

By all counts, Gordhandass Shah is one of the luckier of the more than 200,000 East African Indians who hold British passports. For the other thousands it is a much more painful story: they are unable to earn a living in Kenya, and they are not being deported to England, where they legally belong.

The Indians' troubles started in the early 1960s. In the preceding 70 years, more than a quarter million of them had been encouraged by Britain to settle in the East African colonies. Most of these Indians were traders, artisans or lower professionals, occupying the middle position between black and white in the colonial hierarchy. They lived in their own large communities, segregated from both the Africans and the English. They were the essential instrument of British rule over the indigenous population, and had greater contact with the Africans than did the British. As such, they received more privilege than was granted the Africans, and earned a lot more of the black resentment than the colonists did.

When Kenya received independence in 1963, the Indians were offered the choice of obtaining either British or Kenyan citizenship. Because the painful, post-independence experience of the Congo was still fresh

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then, and because many Indians felt that the growing demand for position and power from the newly educated African middle class would lead inevitably to their exclusion from the job market, only about 10 percent of the Indian population applied for Kenyan citizenship. The rest chose what later turned out to be "devalued" British passports.

The current crisis began in 1968, when Kenya passed the first of its many laws which largely bar Indians with British passports from holding jobs. Almost simultaneously, the Labour government in Britain, expecting an influx of its colored citizens from the East African countries, limited to 1500 the number of Indian families with British passports who could enter England annually.

As a consequence, there are now thousands of Indians in Kenya, unable to work there and denied the right to their legal homeland. As Nasir Butt, a father of seven who lost his job as auto mechanic in 1968, said: "If we were victims of a natural disaster or running away from a communist country, we would have aid and interest. But now no one is interested, no one cares. We are not even considered refugees."

Most of these "refugees" are skilled in some craft or another, but now they can be seen walking the streets of Nairobi, Mombasa and other cities; some have taken to begging, others live on charity, and many have moved in with those relatives and friends who can still make a living.

The more enterprising ones have tried by various means to publicize their cause. Small groups sometimes manage to sneak onto planes bound for England, where, of course, they are denied admission and put back on the plane to Kenya. But Kenya refuses to readmit them, because once an Indian leaves Kenya he cannot return except with a special visa. So these Indians begin a long trek, shuttled – without charge – from one world airport to another, until finally someone admits them – temporarily.

Because of the great distances these homeless groups travel, they have come to be called "migronauts," and it is not unusual to meet them in the transit lounges of various world airports. I met one such group late last year in Entebbe, Uganda – five teenage boys who had only just begun their odyssey, having flown to Bombay, Entebbe, London, and back to Entebbe: "only 15,000 miles so far," said Virendra Desai, at 19 the oldest of them. "We are human shuttlecocks."

Those Indians still left in East Africa are gradually beginning to feel a rising hostility from the Africans. Fortunately there have been no incidents of overt violence, but unwanted and unclaimed, the Indians rather easily become vulnerable targets. Those Indians still trading are frequently singled out as the exploiters of the native population; the Indian community earlier this year was widely blamed – without presentation of any evidence – for a leakage of the national high school examination in Uganda and Kenya; and last month Tanzania announced the nationalization of all property valued at over $15,000 – but *The New York Times'* correspondent there has reported that only property belonging to Indians has been expropriated.

The Indian community in East Africa is subdued and uncomfortable, and sometimes even fearful. The constant topic of conversation among the community is how best one can wrangle one of the 1500 vouchers issued for entry into Britain each year, and people gather eagerly at the homes of those fortunate enough to win one of these vouchers to learn how the lucky ones presented their cases to the British Embassy. Every once in a while there are rumors in the community that Britain has decided to finally let all of its Indian citizens come "home," while those more maliciously inclined circulate false news of massacres of Indians at the hands of Africans.

Two such rumors recently turned out to be true. A little over a year ago, an Indian family of four was ritualistically hacked to death in Nairobi. And this summer the British Government announced that it had doubled to 3000 the number of Indian families who could enter Britain from East Africa each year. At that rate, it will take about 12 years for the unwanted and unemployed British East African Indians to make it "home."

Salim Lone

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The Nixon Watch

Turnabout

The story peddled last week at the White House and at the Treasury Department next door was that the only sudden thing about the reversal of domestic and international economic policy announced by Mr. Nixon on August 15 was the announcement itself. His counsellors and spokesmen went to great lengths, publicly and in private, to squelch any notion that the President acted in panic and without the long and careful forethought that he always likes to have attributed to him. For the most part and remarkably enough, considering the Nixon administration's aptitude for calculated deceit, the known record bears out the official story. It shows that Mr. Nixon was feeling his way for many months, certainly since last May and perhaps since last November, toward his 90-day freeze on wages, prices and rents. His suspension of the dollar's last ties to gold, his imposition of a surcharge on imports, and his proposals to reduce taxes and

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budgeted expenditures were of later origin, but they were considered in June and some of them were forecast by one of his economic advisers, Herbert Stein, in mid-July. The President finally decided to do and propose all of these things in the 48 hours before he announced them on television. It appears to be true that he decided to announce them then because of the signs, evident through the preceding week on the international money markets, that much of the world was on the verge of a catastrophic loss of confidence in the United States dollar. It also appears to be true within limits that the monetary crisis was only the catalyst, the immediate occasion, for decisions that had been, as Treasury Secretary John B. Connally said, "long in the making."

The biggest domestic decision had been long in the making, that is, if one year to the day can be said to be a long time in the evolution of policy. On August 15, 1970, Mr. Nixon signed the act of Congress that gave him the authority to impose his wage-price freeze. He recalled then that "I have previously indicated that I did not intend to exercise such authority if it were given to me," and added, "Price and wage controls simply do not fit the conditions which exist today." If Congress believed that price and wage controls were needed, he said, "it should face up to its responsibilities and make such controls mandatory." In retrospect, the meaningful fact is that he approved a law he said he didn't want. Its sweeping grant of power occurs in these words: "The President is authorized to issue such orders and regulations as he may deem appropriate to stabilize prices, rents, wages and salaries at levels not less than those prevailing on May 25, 1970." Within three months of the signing, in November, he was telling his economic advisers that if he ever did intervene to control wages and prices he would go all the way, to an absolute freeze rather than to variable controls that would require detailed policing. In March 1971 he used the authority for the first time, to impose a timid semblance of wage controls upon the construction industry and its rapacious unions. In April, through subordinates, he begged Congress to let him keep the power for two years after it was to expire on May 31.

That request brought into the open a new conflict of view and sharpened an old one between the President and his first White House Counsellor, Chairman Arthur Burns of the Federal Reserve Board. Burns objected that a prolonged extension "would give the President virtually dictatorial power. If the Congress gives the President this kind of power, it ought to review it at brief intervals." Six months was the longest the President should have it, three months was preferable and two weeks would be ideal, Burns told a Senate committee. Treasury Under Secretary Charls Walker, speaking for Nixon, argued strongly that an unqualified two-year extension would be "in the public interest" and said it was "highly unlikely" that the President would use "the general powers" without asking Congress for "a further specific mandate." Congress, expecting but not requiring a chance to grant a further mandate, extended the wage-price authority to April 30, 1972. Nixon, who had issued a written statement of his objections to the 1970 law, let his press staff announce orally and with minimal emphasis his approval of the extension on May 18. He and his senior assistants noted without comment that Burns at the same Senate hearings had said he "definitely" favored the kind of national wage-price review board, to establish guidelines and encourage voluntary compliance with them, that the President opposed. Burns did not then or later advocate mandatory controls. But he continued to irritate the men around Nixon with his insistence that the President use his "great moral authority" to discourage inflationary increases, and his expressed doubts that existing Nixon policies were enough to break the inflationary spiral.

Nixon during this period maintained, and had his spokesmen maintain, that his economic policies of fiscal expansion through swelling budget deficits and the least possible interference with market processes were slowly but surely bringing down the rates of inflation and unemployment. There was in these assertions a subdued promise of change, of more positive action, if milder policies failed to accomplish the desired results. "This is an activist administration," he said on May 1. If he concluded that "this economy is not moving as fast as it should move to deal with the unemployment problem, then we will act. We will act on the tax and other fronts." His advisers pointed last week to that statement and to subsequent ones like it as evidence, clear to some of his associates but not to the public when the statements were made, that the President between May and mid-July was moving steadily toward the admission and decision that a great deal more than he was doing had to be done if declines in the key economic indexes were to be halted and the occasional gains were to be improved upon. His new Secretary of the Treasury, John Connally, did nothing after August 15 to discourage the widely believed story that he had been urging the President toward more positive action ever since he joined the Cabinet in February. No doubt he had been, but a few conversations at the White House suggest that Big John and his friends may have been overdoing the inflation of Connally and the accompanying deflation of such advisers as George Shultz, the director of the Office of Management and Budget, and Paul McCracken, the chairman of the Council of Economic Advisers. They had personified and expounded policies that the President reversed. They took their medicine in gentlemanly quiet, they did not oppose to the point of either public or private obstruction the course announced on the 15th, and they displayed the sort of disciplined accep-

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tance and loyalty that Mr. Nixon in the long run tends to value above more flamboyant talents.

At a suddenly convened press conference on August 4, Mr. Nixon did two things that lend credibility to the hindsight accounts that he by then had decided everything but the timing and some details of the moves he announced 11 days later. He indicated for the first time that he just might consider the establishment of a federal wage and price review board, a device that he had consistently scorned in the past. And he made public amends to Arthur Burns, whose cooperation with any new course of national and international action would be essential, for a nasty story that had been leaked from the White House to the press the previous week. The story was that Burns, the stern advocate of austerity, had begged the President for a $20,000 raise in his $42,500 salary and that Mr. Nixon was thinking of asking Congress to put the independent FRB under his direct control. Not so, said Mr. Nixon, leaving the impression that journalists and not somebody on his own staff had taken "a cheap shot" at Burns. He said that he and Burns were then and always had been in agreement on the big issues and did his (in the circumstances) rather noxious best to allay frictions that in truth had marred the relationship since late 1969. It worked, in the sense that Arthur Burns was among those who led the official applause for the new course.

What next? Here I take as gospel the word of John Connally that it won't be a return to the passive stance that prevailed before August 15. He was entitled to belief when he said: "I think the President is prepared to take whatever action is necessary to maintain a stable economy in this country."

John Osborne

People Who Can't Take Vacations

The Working Stiffs

by Colman McCarthy

These are tense and risky days for a large number of working men and women. While their friends and neighbors can't wait to get away from the job for the annual vacation this crowd strains *not* to get away. They are the minority of the nation's work force who, strangely, even bizarrely, crave not just work but even overwork. They are the work addicts, the workaholics who can't drink enough of their job, whose thirst is never quenched for turning on the office light and avoiding the sunlight. Take a vacation? It would shatter them. Flying through the rest of the year firmly belted into their cockpits of work, many workers – from executives to char ladies – could not bear to be grounded by a few weeks at the shore or in the country. Incessant work, compulsive work, striving work, continuous work – how can you enjoy that when forced to the drudgery of a vacation?

The notion of a person addicted to work is at first funny, the way an alcoholic careening down the street between lamp posts gets a laugh. But for those who can't stay away from the office or job – reverse absenteeism – or those who must live with the person, it is anything but a joke. Often it is an illness. A psychoanalyst, Karl Abraham, has noted that "a considerable number of persons are able to protect themselves against the outbreak of serious neurotic phenomena only through intense work. . . . The mental balance which has been maintained with difficulty through working is overturned for the duration of a Sunday, a holiday, or possibly even for a longer period. When work begins again, the patient immediately feels better."

A recent and valuable book, *Confessions of A Workaholic* by Wayne Oates (World) argues persuasively that "this land of ours if full of workaholics. The workaholic's way of life is considered in America to be at one and the same time a religious virtue, a form of patriotism, the way to win friends and influence people and the way to be healthy, wealthy and wise. Therefore, the workaholic, plagued though he be, is unlikely to change. Why? Because he is a sort of paragon of virtue. He is chosen as the one 'most likely to succeed.'"

The slaves of work are easily found. In *The New York Times'* daily profile of the "Man in the News,"

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a paragraph at the bottom usually describes the pastimes or hobbies of the particular Saver of Man. He always has a pastime, alright, but monotonously such descriptions appear: "When he has free time, he likes to be alone on the beach, a taste he acquired while . . . in Florida. He rarely has the time." Or: "his one hobby, bicycle riding, has been (lately) ignored." Others have no time for tennis, sailing, golf, sometimes not even for breathing, so crucial to saving the world is their work. Poignantly, one super-worker confessed, "I think my children are proud of what I'm doing – though I must confess I don't have much time to talk about it with them these days."

A recent worker in the news whose wheels of work apparently can't spin fast enough is Lee Trevino. Not only did he announce after winning both the US and the British Open golf tournaments that he would not take a break from the grind, but he also openly criticized sportswriters who relax a little. After the first round of the recent Western Open in Chicago, officials tried to get the champ to the press room for the usual interview with newsmen. "Naw," he said to the AP, "I don't really want to go up there. I can sign autographs and at the same time (super-workers love to do two things at once) talk to anyone who wants to ask questions right here. Some of these guys have been following me around the course. Those other guys have been sitting on their cans." The idea of sportswriters who would actually sit down while they could be marching around a golf course in the heat of a Chicago summer was too much for Trevino. As for his own infrequent stabs at relaxation, the recent *Time* story on him tells how last year Trevino took off with his wife to a mountain cabin in New Mexico for a 10-day rest. After two days, Claudia saw Lee out in the woods hitting pine cones with a broomstick and realized it was time to get back to the tour.

Golfers are not the only ones to bark at the lazy press corps for its heretical belief in ease. In February 1969, Gretchen Quie, wife of a hardworking congressman from Minnesota wrote a tough letter-to-the-editor of *The Washington Post*. She was upset at a UPI story "stating that Congress has returned 'fresh from ten days of vacation.' This implies to many people a trip to a southern clime or just lolling around the house. My husband is a congressman from a Northern state where the snow is four feet deep. He spent the ten day recess, as it is correctly named, with his constituents and I would wager a greater majority of the Congress follows this pattern rather than what the press would gleefully like to imply." Mrs. Quie went on to say how, in ten days, her husband feverishly traveled around his 12-county district, covering 600 miles, making 15 speeches and holding office hours in five locations. "Certainly," said Mrs. Quie, "the UPI is not so naive as to think that the only 'work' a representative does is in Washington."

Shame on you, UPI, for such slander on our hard-working lawmakers, especially implying they take trips to southern climes or loll around the house. And just so the press will "gleefully" stop implying sloth, Mrs. Quie ended her letter by saying that the recesses at Lincoln's Birthday, Easter, July Fourth and the others "are generally not a vacation time" either.

Not all workaholics are the well-paid organization men with 80 or more hours of work a week. Many are blue-collar people who insist on holding down two jobs, moonlight slaves who serve two masters not because they are short of money but because they are short of other things – the need to be in demand, a compulsive desire to prove masculinity, a way of keeping one-up on the system.

Many women make fine workaholics, often for the same drugging reasons that addict males. It is strange logic, though, that under the prod of women's liberation many wives and mothers are out seeking jobs, as if the difficult challenge of being a woman is automatically easier when doing the work of the organization rather than the work of the home. Satisfactions can be had in either job, just as boredom can, but finding fulfillment in either place is more a matter of how the emotions are used, not the time. As for the mother who stays home, Wayne Oates notes that she "is an example of perpetual motion. Her favorite phrase is, 'let me do it.' When a visiting friend, relative or passing stranger says 'May I do that?,' she firmly says no, and means it. She generally spurns domestic help, insisting adamantly that she would rather do it herself. . . . Her perfectionism means she cannot teach her sons and daughters how to wait on themselves, care for their own rooms and in general learn the skills of caring for a home. Yet she often expresses martyr feelings for having to 'clean up after everybody's mess.' She will fuss but she will not command and she will not teach. This is particularly disastrous in her relationship to her daughters, who often grow up without knowing how to cook, sew, clean and decorate in a home."

The exact number of workaholics is not known, but a fair guess is several million at least. With the Puritan work ethic still strong in America – make those lazy welfare people take a job if they want a federal handout, says the President to the cheers of working America – it is likely the number will grow. Cabinet members, board chairmen, corporation presidents are now chauffeured in cars equipped with headrest lights – to read reports on the way home from work at 11:30 p.m. – and phones, to call up on the way in at 6:30 a.m. the special assistant on his memo of yesterday. Even on many of the golf courses where these captains of power supposedly go to relax, little phone stations now appear at key places between fairways; while retrieving a slice, why not call in to Miss Davis and have her take a letter. Ironically, President Nixon, as the nation's super-worker, has three vacation re-

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treats though it is always made clear he goes there only to toil; as for his golf, he tried the sport early on in the White House as a way of easing his tension, but his play was so bad it only added to his headaches.

Can the compulsive work addict remake his life, short of the coronary? Probably not. Role-changing is hard even for theater actors, not to mention those who have an emotional dependency on the act they put on for the community. Few noncompulsive workers are brash enough to tell the boss to do his own overtime; few can say to hell with the local conservationist and his committee to save the bald eagle; few can resist the chance to grab for an extra buck or a higher rung on the ladder; few can settle for being on the edge of things when he or she could easily be in the middle of everything.

Going cold turkey is one way of withdrawal from work addiction. It can mean undergoing the excruciating pain of lazily lying on the beach for a few hours in the morning, a swim in the noon surf, a nap, tennis in the afternoon, a walk with the kids before supper or perhaps a game of monopoly, making the meal with one's spouse, and 12 hours of sleep in a bed with no phone next to it in a village with no out-of-town newspaper delivery. For most normal workers, three or four weeks of this is called a vacation, and if the workaholic ever has the courage to take just one, the next time might be a vacation for him, too.

Nixon's Economic Sales Pitch

Deceptive Package

by Ralph Nader

President Nixon's new economic policies mesmerized the nation for 48 hours after his dramatic Sunday evening announcement on August 15. After so long a period of indecision, bordering on paralysis, any action, any decision about unemployment, the worsening trade balance and inflation was bound to bring a sense of relief and hope. The euphoria, however, had all the endurance of a hard-hit fly ball that brings the crowd to its feet but fades into a routine outfield catch. The President's package amounted to a massive tax relief bill for corporations (largely for doing what they have been doing in investment and sales) wrapped in a couple of reasonable moves to float the dollar and accelerate a personal income tax exemption from 1973 to 1972, reducing citizens' taxes by $1 billion. The President's proposals would reduce both corporate taxes and federal expenditures. The latter will more than likely cancel out the employment effects of the former. Another recommendation would stimulate new car sales in an already record sales year by asking Congress to abolish the $2.3 billion auto excise tax. And Nixon would saddle consumers, with a 10 percent import surcharge driving up the price of imported products and further decreasing what little price competition there is with domestic goods. Should it remain indefinitely, the surcharge may bring on a retaliatory trade war. Wages and prices were frozen for 90 days, but not interest rates, profits, or the prices of "new products," new housing, raw agricultural products (fruits, vegetables, eggs). Exploitable loopholes are available to executives, lawyers, dentists, physicians and other professionals and persons who are paid commissions.

By the middle of the first week after the announcement the opposition began to grow. Unions reacted in opposition to the President, dusting off their old critiques of big business and Republicans. The Democratic Party followed with a blast at the administration that sounded like old FDR commentaries. Having temporarily returned to traditional alignments, Republicans, Democrats, labor and corporations will tug and pull against one another in dramatic confrontation until deals are worked out. The debate should not be allowed to obscure the way the administration made these decisions, the immensity of their ineffectiveness and the sheer looting of the taxpayer-consumer-worker that is involved.

The income-tax proposals amount to a one-time-only reduction of $1 billion in personal income tax for 1972, and a $9 billion, or nearly 20 percent, corporate tax reduction (including the accelerated depreciation rulings issued in June) for the first year and only slightly less thereafter. This biggest corporate tax cut in our histroy is inequitable on its face and even

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more so in a "cost-push" inflationary period with demand low enough to have the economy running at 73 percent of productive capacity. Incredibly, the White House has justified the corporate tax cut as a way to produce more jobs.

The promised stimulation to the economy is canceled out by the planned $4.7 billion reduction in federal expenditures. The tax credit and accelerated depreciation bonanzas are not selective at all; most of them will go to companies for doing what they would have done anyway. As Professor Robert Eisner, an economic specialist on capital investments, commented, "There is no need for a handout to American industry to persuade them to do what should be in their own interest, that is have the optimal capital and investment policies for their own efficiency and profits." Nixon might have proposed applying investment credits or accelerated depreciations as rebates conditional on the purchase of equipment or expansion of industries that otherwise might not expand, like pollution control. Instead the administration has offered an across the board windfall to corporations and is hoping some of it will trickle down to produce jobs. The administration chose to give a massive tax concession to big business, essentially capital-intensive companies, while deferring welfare reform, aid to cities and the poor and abandoning substantial tax cuts for middle- and lower-income families that might stimulate demand and jobs.

Over and over again, Treasury Secretary Connally insisted that the investment tax credit was true to its official name – "job development tax credit." When my associate, attorney Tom Stanton, attempted to learn how many jobs the administration felt would be created by the investment credit, he was given the run-around. He called the White House press office only to be referred to the Treasury office of public information. A Treasury public information officer suggested he call the Council of Economic Advisers, saying that the job development figures were "not produced in Treasury as far as I know." A CEA official stated that "the estimation of jobs created is difficult. If the figures were developed, they should have been developed in the Treasury." The call to a high official in the Treasury tax policy branch brought the response that "there are no figures for release at this time." Mr. Stanton concluded the administration couldn't be pinned down. The press didn't think of asking the government to substantiate optimistic projections relating to each of its announced policies at any of the press conferences on Nixon's new economic program.

Another corporate tax windfall – the DISC (Domestic International Sales Corporation) – proposed to Congress in the President's message, is similarly unsupported. The DISC idea will reduce corporate taxes by an additional billion dollars a year. The administration claims this massive tax subsidy will produce increased export sales of about $1.5 billion a year. Where does this figure come from? There is no available Treasury study to support the export gain predictions. Either the department doesn't want the public to know what it's doing or the department itself doesn't want to know what it's doing to the public. The tax shelter applies not only to a projected increase in exports but to all exports funneled through a DISC corporation. Once again, the average taxpayer and the poor will bear the burden of making up the lost tax revenue.

Another figure which Secretary Connally used on television and at his press conferences was the "125,000 new jobs" which the proposed abolition of the auto excise tax would allegedly create in the automotive industries. Again, it was impossible to find out the basis for this figure, apart from the Secretary's belief that one new auto job will be created for every four additional new autos sold. The fact that the automotive industries routinely prefer to increase overtime rather than hire new workers apparently escaped both Connally and his undersecretary, former bank lobbyist Charls Walker. Stimulating auto sales in an already booming sales year didn't even appeal to the UAW. If consumer demand is to be stimulated, why not cut personal taxes by $2.3 billion to generate consumer demand and retain the equivalent auto excise-tax revenue for safety, pollution control and mass transit expenditures – investments which employ people and improve the quality of life. This country certainly doesn't need more cars with their associated costs in congestion, pollution, land for highways and crash casualties. It does need to put more purchasing power in the hands of poorer people who don't ordinarily buy new cars. As former Bureau of the Budget director, Charles L. Schultze, told the Joint Economic Committee (August 20), "Quite explicitly, a priority choice was made between autos and machine tools on the one hand and the poor on the other. The poor lost."

Then what about inflation? The government first refused to act until it was on the brink of a serious crisis. Then it chose a breathing spell over a hard set of decisions when it froze prices and wages for 90 days. Some time ago, or even now, it could have tried to do something about interest rates; it could have asked for a corporate excess-profits tax; it could have heeded its own antitrust experts who have been urging action against the large concentrated industries, whose breakup into more competitive units, employing more competitive practices, these experts claim would reduce prices by 25 percent – industries such as copper, aluminum, oil, steel, cereals, detergents and drugs. It could have renovated its regulatory process to encourage more competition and stop approving inflationary rate increases. It could have curbed the export of American jobs by US multinational corporations, closing plants here and setting up abroad in order to sell

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back into the American market. It could have done something about the oil import quota (as a Cabinet-level task force urged in vain two years ago), so as to reduce the added cost to the consumer in gasoline and fuel oil bills of $5 to $7 billion a year. It could have used jawboning earlier with big steel and other inefficient, uncompetitive giant industries. Instead it did none of these and even permitted (over the objection of antitrust chief Richard McClaren) the merger of National and Granite City Steel companies into the nation's third largest steel company, while Nixon's words about competition were still ringing in the air.

The White House move on August 15 should be judged on a broader scale, as well. It has continued the shift toward disproportionately greater executive power vis-a-vis the Congress. Not only was the federal legislature less informed than many big business executives about the new economic policies, but the imposition of the 10 percent import surcharge by executive proclamation raises substantial doubt about its legal authority under the Trade Expansion Act of 1962. Similar legal questions can be raised about the wholesale delegation of authority from Congress to the President under the Economic Stabilization Act of 1970, which Nixon is using to justify his wage-price freeze actions. The issuance of the accelerated depreciation rules in June brought a storm of protest by the nation's most prominent tax experts over the alleged illegality of this move under the Internal Revenue Code. Only Congress, contend such critics as Dean Bernard Wolfman of the University of Pennsylvania Law School, has the authority to permit writeoffs faster than the equipment is used up, and Congress did not do so in the existing tax laws. This executive fiat, if not stopped by the courts, will alone amount to a 6 percent corporate tax cut.

In the confusion of trying to find out what the administration means by its new program, especially the application of a wage-price freeze, the nation's attention is focused on details at the expense of questioning the authority and process of decision-making itself. There is an undeniable authoritarian character to these decisions. Both the Office of Economic Preparedness and the Council on Living Costs are making major decisions affecting special interest requests under the wage-price freeze in total secrecy and without elementary administrative due process. The only people who know what's going on are the business interests.

Perhaps, the growing criticism of the President's policies will bring the meaning of the "corporate state" home to many millions of Americans. Perhaps it will jolt labor unions to a greater sense of their mission and responsibility. Perhaps it will awaken more taxpayers to the appreciation that tax privileges and concessions for corporations mean penalties for citizens in higher taxes and fewer public services.

Tenants' Plight

Last and Leased

by David Sanford

It's said that 70 million Americans are tenants. (The 1970 census lists 23,554,976 rented dwellings.) And in most places, with laws favoring landlords, tenants have little to say about how they live, what they pay or even whether they'll be allowed to continue to live in their rented homes. Although the Department of Housing and Urban Development claims that the traditional legal discrimination against persons who rent is disappearing – several states have changed laws and tenants are suing landlords and winning their cases some places – the tenant's lot is still not good. That goes not only for poor people living in slum properties infested with rats and in chronic disrepair. Tenants in $800-a-month New York apartments have legitimate maintenance complaints. A tenant's primary uncontested right is to pay his rent. His responsibilities, on the other hand, are minutely detailed in the standard four-page lease he signs when he contracts for a place to live.

There is an air of unreality about form leases. They are written in legal language that's difficult to understand in a quick reading in an apartment rental office. They contain provisions that no one could live up to. Generally, when the landlord is a corporation, the prospective tenant can't haggle over any of the terms of the lease (the lease stipulates that). And the landlord's agent or resident manager is not authorized to waive

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anything or make oral or written agreements that would in any way alter the lease (the lease says that too). The signing, then, is a required formality about which the new tenant must inevitably feel a certain halfheartedness. But whether he likes it or not there is no alternative in a tight housing market where landlords in general require similar leases. There is no comfort in knowing that however fantastic its provisions, a lease is a binding contract.

So people find themselves agreeing among other things that they won't let their children play on the lawn, that they won't throw cigarette butts in the toilet, that they won't watch television after 11:00 o'clock, that they won't drive nails in the wall to hang pictures, barbecue on the balcony, put flowers on the window sill (inside or outside), or wash the car in the parking lot. They agree to carpet the landlord's floors so as to protect tenants below from noise heard because the building is poorly insulated. They agree to let the management barge in to inspect their apartment at any "reasonable" hour. They agree not to "circulate to other tenants any type of literature, papers, circulars, periodicals or other such printed matter" without the landlord's "prior written approval." They agree *in advance* to abide by any rules or regulation the landlord might later choose to impose.

The lease I've been paraphrasing is one signed by tenants in a new and expensive apartment "community" in Montgomery County, Maryland, adjacent to Washington. It is a legal contract, enforceable in all its particulars at the whim of the landlord and at considerable potential expense to the tenant found in violation of its provisions. The vindictive landlord, having all the cards, can spot a lease violation just about anywhere he chooses to look for one (who hasn't hung a picture on the wall or watched the Dick Cavett Show?) and if nothing else occurs to him as a pretext he can have the tenant evicted for "objectionable conduct," left undefined and "determined solely by landlord."

When the landlord goes to court charging breach of lease by the tenant, the tenant has already agreed (in his lease) to pay the landlord's attorney's fees and court costs, not to mention rent for the duration of the lease (up to a year) or two months rent in "damages" to the landlord at the option of the landlord. The tenant also forfeits the $100 security deposit he left with the landlord when he signed the lease and on which he has earned not a cent in interest. The cost of losing one's home in Montgomery County could easily run into several hundred dollars.

The landlord has his responsibilities and liabilities too, but they are limited. If the building burns down, and the tenant didn't set the fire, the landlord has to put him up somewhere or free him from the lease. The landlord agrees to provide heat and airconditioning and hot and cold water, but he doesn't warrant that they will work properly and he and the tenant agree (in the lease) that the landlord can't be held responsible for damages if repairs aren't made. If the tenant drowns in the swimming pool or his property is lost or damaged as the result of the landlord's negligence the lease says it's the tenant's tough luck; the landlord has no liability.

Montgomery County is one of the four or five most affluent counties in the country and it is a bedroom suburb for many people with jobs in Washington. Apart from its wealth, it is typically suburban, having many single family houses, many new high rise and garden apartments, and in the Rockville and East Silver Spring and Takoma Park sections, some low-cost housing. Its landlord-tenant relations are approximated throughout the nation. In contrast to Washington, where the courts have worked many progressive changes in laws affecting tenants and landlords, Montgomery County and indeed the state of Maryland is a bad place to be a tenant.

In a famous Washington, DC case a woman named Edwards, who was a month-to-month tenant in an apartment building owned by a man named Habib, complained to the city about a number of violations of of the city's sanitary code which her landlord had failed to correct. The landlord learned of her complaint and gave her 30-days' notice to get out. Retaliatory evictions were legal in Washington inasmuch as after a lease had expired a landlord could ask a tenant to vacate by giving 30-days' notice. Mrs. Edwards sued Mr. Habib and won, on appeal. Retaliatory evictions are now illegal, in Washington. Mongtomery County has a strong health code, enforced by its environmental health department. But when a tenant calls in to complain about a landlord's violation the caller is told that his complaint cannot be guaranteed confidentiality. The landlord may find out who reported him and in that event have the offending tenant evicted. According to the county attorney's office "It happens quite frequently and it's perfectly legal."

In another important DC case tenants in a slum apartment called Clifton Terrace stopped paying their rent in protest of unconscionable living conditions. After eviction proceedings had been undertaken against them, they offered to document for the court some 1500 uncorrected violations of DC housing regulations, in Clifton Terrace. In that case the US Court of Appeals for the District of Columbia ruled that "the tenant's obligation to pay rent is dependent upon the landlord's performance of his obligations, including his warranty to maintain the premises in habitable condition." In Maryland and other states a tenant's obligation to pay rent is considered independent of the landlord's responsibilities. And there is no warranty of habitability. Withholding rent can't be used as a lever to force the landlord to make repairs because the landlord can make an eviction stick.

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Assistant Montgomery County attorney Philip Tierney has been involved in drafting a proposed landlord-tenant code – a code now pending before the county council. He's in the middle of a battle between about a thousand members of the Montgomery County Tenants' Organization and the local corporate landlords and their lawyers. Tierney says the property owners have argued to him that the leases tenants have to sign are justifiable on the grounds that owners need to protect their investment against transient and irresponsible renters who don't take care of their apartments and who leave after the lease expires. The landlords think no new law is needed and in any case such legislation is beyond the scope of county government; it should be a matter for the state. The real estate interests, Tierney adds, "have an effective lobby in Annapolis so they advocate state action knowing damn well any bill will be defeated there."

Tierney says county residents complain about retaliatory evictions, and about precipitous rent increases after leases expire. During periods of high vacancy rates it is common for apartments to advertise cheap "below the market" rents in order to attract tenants. But after a tenant has been in the apartment a year rents are adjusted upward 25 or even 50 percent. People who have made improvements and want to stay where they are have no recourse but to pay. By contrast, in 1969 the residents of the luxury apartments Tiber Island and Carrollsburg Square in Washington were informed of rent increases running in some cases to 32 percent. 450 tenants balked, incorporated themselves as a tenants organization, hired a lawyer and began withholding from their rent payments an amount equal to the rent increase. The money was held in escrow pending the settlement of suits filed against the management company, Frederick W. Berens, by the tenants and against the tenants by the management. The escrow account accumulated $31,000 by the time a settlement was reached under which all of the escrow money was returned to the tenants and the company agreed to limited and reasonable rent increases spread out over two years.

In low-rent apartments in Montgomery County, Tierney says, some notorious landlords who do not offer tenants leases of any sort run their enterprises "like feudal lords." One landlord walks about his property brandishing a gun at tenants. He makes all sorts of demands, sets arbitrary penalties for late rent, imposes fines for conduct he doesn't like. He has even set an 11:00 o'clock curfew for tenants to be in their apartments.

The proposed Montgomery County Fair Landlord-Tenant Relations code, on which public hearings are scheduled for September 8 and 9, is a modest attempt to give tenants leverage they've not had. It sets up a commission to hear and negotiate disputes between landlords and tenants, provides for licensing of rental facilities to ensure they satisfy certain minimum health and building code standards, empowers the new commission to establish rent guidelines pegged to the cost of living or some other index, and requires lease standards (clauses that must be in leases and others that can no longer be included). Leases, for example, would be renewable at the tenant's, not the landlord's option. Landlords could not terminate a lease without notice or without adequate grounds; leases could not free landlords of responsibility for negligent acts; leases must acknowledge the landlord's responsibility to make repairs and maintain premises in a habitable condition; retaliatory evictions are prohibited; tenants cannot be made to pay landlords' court costs. The code is similar in many respects to the model law produced in 1969 by a research project of the American Bar Foundation under an Office of Economic Opportunity grant. The model law was intended to do away with what one of its authors, Philip Hablutzel called "an archaic jumble of common law rules" ill-suited to modern urban society. The code has been revised and was the subject of discussions in Vail, Colorado this month by the National Conference of Commissioners on Uniform State Laws who are taking back to the states suggestions for legislative action. The Montgomery County bill is by no means certain of enactment. The real estate interests are against it and even if the council passes it it may be vetoed by the county executive, James Gleason, whose enthusiasm for it is said to be limited but whose mind might be made up by concerted citizen action in favor of the bill.

Increasingly tenants throughout the country are becoming activists, forming tenants organizations, suing in the courts, organizing rent strikes, picketing. The movement was begun by poor people and by poverty-war, legal services lawyers in their behalf, but in the course of things a lot of middle-class people have learned that as tenants they have a unity of interest with the exploited poor.

The tenants movement has involved students in Berkeley and Ann Arbor in rent strikes, suits by residents of luxury apartments in New York, tenant actions in Chicago, New York, Cleveland, Detroit, Washington. Some 38 bills relating to tenant and landlords were introduced in the California legislature in 1970 (six of them passed). A habitability law was passed in Maine this year, and many states and localities are pondering changes in their laws (including Maryland's Prince Georges County, where 43 percent of the housing units are apartments). The National Tenants Organization, with headquarters in Washington has 250 affiliates in 33 states.

Although landlords predictably react to tenant militancy with hostility, there has been an effort in the industry to affect an attitude of conciliation toward unhappy tenants, to actively encourage tenants organizations or, better yet, take them over. The blend of hostility and conciliation is evident particularly in

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the trade press. In one breath *Professional Builder* ("the business magazine of housing and light construction") equates tenant militancy with "rioting in the streets, Vietnam protests, the hippie and youth revolts" and says "It is obvious that the tenant rebellion must be stopped. . . . It is a very real threat to the private housing industry." In the next breath *PB* talks up "better communication" with tenants, "a consistent goodwill program," ridding landlords of their "image of a faceless enemy," encouraging tenant associations and enlisting their support "in common problems." *Professional Builder* specifically recommends revising leases to be "fair to both tenant and landlord." With the National Tenants Organization adding chapters all over the country, the courts finding in favor of tenants and states changing their laws, *Professional Builder* believes in joining the movement lest it get out of control. What it seeks to prevent above all is rent controls ("the most dangerous and harmful effect of the new housing crisis") and the enactment of laws swallowing whole the American Bar Foundation's model tenant-landlord code, some provisions of which, says *PB* "would surely make any landlord gag."

Lloyd D. Hanford, Jr., a San Francisco management consultant writing in *Property Management* in its March/April 1971 issue, said "whether or not local laws forbid retaliatory eviction, sophisticated management should absolutely refrain from the practice because it *not only may become the catalyst of a tenant mass action but also represent prejudicial treatment.* . . ." (Italics mine.) The tenant movement can thank itself for this new, enlightened self-interest in the housing industry. But it doesn't exist everywhere.

The Case of Loeb, Rhoades & Co.

Whistle-Blowing On Wall Street

by David McClintick

The stockbrokerage industry in the United States professes great pride in its system of self-regulation. The New York Stock Exchange, generally considered the system's cornerstone, uses words like "vigorous" and "conscientious" in describing the industry's internal policing. As the exchange tells it, the brokers employed by its member investment firms are carefully trained in federal securities laws and industry regulations, and the vast majority follow the rules to the letter. Member firm executives and managers are constantly alert for any sign of employe misconduct. And the ever-vigilant New York Stock Exchange is poised to pounce on any firm or individual it finds in violation of a rule or law. Only in instances of particularly flagrant violations does the Securities and Exchange Commission or other law enforcement authority enter the picture.

Gilded as that description is, it happens to be a fairly accurate statement of how the system is supposed to work. Partly because of the industry's political clout and partly because the world of securities trading is so complicated, Congress stopped far short of total governmental regulation when it created the SEC in the early 1930s. It charged the brokerage industry with substantially more self-regulatory responsibility than many other regulated industries have.

There have been changes since, but the fundamental approach remains the same. And, recognizing it has a good thing going, the stock exchanges and firms miss few opportunities to tell the public how well the business regulates itself.

George D. Hamar, a stockbroker at the Loeb, Rhoades & Co. branch office in Syracuse, NY until December 1968, has had occasion over the past three years to test, in an unusually comprehensive way, the effectiveness of the brokerage industry's self-regulatory system. He has found it grossly deficient.

Obviously, the system can't be judged definitively on the basis of a single case. But Hamar's experience does raise a number of fundamental questions about whether the system is capable of functioning justly

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when a large and powerful investment firm is threatened with embarrassment by a relatively powerless individual in somewhat ambiguous circumstances that only a vigorous investigation can clarify.

George Hamar's problems grew out of some charges he made against a fellow Loeb-Rhoades broker, Andrew Williams, in the fall of 1968. Hamar thought he was doing the firm a favor by telling what he knew. Based on Wall Street, Loeb-Rhoades is one of the best known and most prestigious investment houses in the US. Its senior partner, John L. Loeb, is a major political contributor and was awarded an honorary degree by Harvard University this spring.

But Hamar found that Loeb-Rhoades and the New York Stock Exchange appreciated his efforts about as much as the Pentagon appreciated its cost analyst Ernest Fitzgerald's revelation to a congressional committee three years ago of a $2 billion cost overrun on the Air Force's C-5A program. Both men lost their jobs for their trouble.

Hamar became increasingly suspicious of certain of Andrew Williams' activities after the two men began working together at Loeb-Rhoades in the mid-1960s. Williams spent a large amount of time outside the Loeb-Rhoades office and had a lot of strange telephone calls and visitors.

Reluctantly, Hamar made some cursory inquiries and finally decided he couldn't stay silent any longer. He went to the Loeb-Rhoades branch manager in Syracuse and to the firm's top management in New York City and made these allegations:

- Andrew Williams was using his Loeb-Rhoades job as a base for a number of illegal stock transactions involving two small companies.
- Williams was associating with at least one person of questionable reputation, a man then under indictment for illegal "possession" of about $800,000 worth of stolen IBM stock.
- Williams was devoting a large amount of time during business hours to various outside activities, including operating a growing vacuum cleaner sales and service business in upstate New York. (In an effort to ward off potential conflicts of interest, the New York Stock Exchange generally requires brokers to devote full-time to the firm employing them and prohibits them from operating outside businesses without the exchange's authorization.)
- Upon learning his colleague was preparing charges against him, Williams told Hamar he could arrange for harm to come to him and his children if Hamar got Williams into trouble with Loeb-Rhoades.

Hamar, a small, intense man, now 49 years old, expected Loeb-Rhoades to thank him for the information, investigate and take appropriate action against Williams.

But Loeb-Rhoades' reaction dumbfounded Hamar. As he tells it, Henry Loeb, John's brother and senior vice president of the firm, informed him the firm had investigated his charges and they were unfounded. Loeb then dismissed Hamar from the firm (he gave him five to six weeks to get out) because, Loeb said, the allegations had embarrassed Williams and had created an untenable situation in the Syracuse office.

Hamar left Loeb-Rhoades in early December 1968. Williams, however, continued to work for the firm until August 1969, ten months after Hamar presented his charges. He resigned then to become vice president of a company involved in his allegedly illegal stock transactions.

After Hamar left Loeb-Rhoades, rumors spread through Syracuse business circles that he had been fired for various undefined misdeeds and that Williams had been cleared. Many of Hamar's brokerage clients deserted him. Even though Hamar protested he'd been treated unjustly, one associate advised him to refrain from trying to take action against Loeb-Rhoades because "they're too big and influential to tangle with." Hamar didn't take the advice. He presented the bulk of his charges to the New York Stock Exchange and later to the SEC in an effort to clear himself of suspicion and prove that his allegations against Williams were true and that Loeb-Rhoades and its Syracuse branch manager, Paul Shaskan, had handled the matter improperly.

To date he's had only limited success. The New York Stock Exchange hasn't taken any action against Williams. The SEC did obtain a federal court injunction last summer against Williams' stock-selling activities and is still investigating. The Internal Revenue Service also is looking into Williams' affairs. However, despite clear-cut federal and stock exchange regulations requiring strict supervision of brokers by the firms employing them, it appears unlikely at present that the SEC or the New York Stock Exchange will move against Loeb-Rhoades for improperly supervising or investigating, or for its treatment of Hamar.

Meanwhile, the effects of the rumors about Hamar after he left Loeb-Rhoades linger on. He went to work for an over-the-counter securities firm (not a New York Exchange member) a month after Loeb-Rhoades fired him. But he had considerable difficulty breaking back into the clubby New York Stock Exchange member firm community where most brokers prefer to work. After unsuccessful applications to four member firms, he finally was hired in 1970 by a small member house based in Albany after an SEC official quietly intervened on his behalf. (The declining stock market at the time played little if any role in Hamar's rejection by the first four firms. Three of them promised him a job, then withdrew their offers apparently because of doubts about why he'd left Loeb-Rhoades.)

Hamar's experience hasn't received any publicity in Syracuse.

All in all, Hamar estimates the affair has cost him, in financial terms, many thousands of dollars in lost

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clients and general damage to his reputation.

Williams, Loeb-Rhoades officials, and others involved deny they knowingly acted improperly in any aspect of the matter. But it's clear there was substance to Hamar's allegations about Williams. The evidence also raises serious doubts about whether Loeb-Rhoades and the New York Stock Exchange's investigations of the matter were sufficiently thorough.

Hamar had an excellent vantage point from which to view Williams' activities. The two men sat at adjacent desks in Loeb-Rhoades' plush, dark-wood-paneled office in downtown Syracuse from the middle of 1967 until late 1968, and before that at the branch's former quarters nearby. They serviced a number of brokerage accounts jointly and, as Williams was out of the office a lot, Hamar often handled Williams' own accounts and took a lot of his phone calls.

Hamar says an important motive in bringing his charges was self-protection: "I was afraid I might some day be accused of trying to conceal the situation if I didn't tell the firm what was going on."

Williams spent only about half his time at the Loeb-Rhoades office during 1967 and about a third in 1968, Hamar contends. To an extent, the absences were authorized. Part of Williams' job was to drum up business for Loeb-Rhoades outside the office while Hamar stayed in the office and handled the stock transactions that resulted from Williams' efforts.

In fact, Williams spent a large portion of his out-of-office time managing sales and service franchises for Rexair Inc., a vacuum cleaner sales and service concern based in Detroit. After a few years as the Syracuse-area distributor for Rexair, he set up sales franchises in several upstate cities – handling negotiation of franchise agreements, banking, advertising, and other aspects of the business.

Loeb-Rhoades apparently accepted Williams' and Rexair's word that his involvement consisted only of a minimal amount of help to his father, who, he contended, actually ran the business. However, I was able to confirm the substantial and time-consuming extent of the younger Williams' involvement from easily available evidence.

Trivial as such outside activity may seem, Hamar contended it was Loeb-Rhoades' failure to enforce the New York Stock Exchange regulation banning it that gave Williams the flexibility and freedom he needed to engage in other outside interests. Among other things, Hamar was concerned about some of the people Williams was associating with.

One of them was E. Lawrence Weisman, a Syracuse money broker who was indicted in early 1968 for illegal "possession" of about $800,000 worth of IBM stock that had been stolen from a New York City bank. A bank employe who pleaded guilty to the theft told police he had mailed the stock upstate to a man (not Weisman) police later identified as a member of a Mafia group. The charges against Weisman were dropped during his trial when police declined to give the identity of a confidential informant who had furnished evidence in the case.

Williams had at least two meetings with Weisman in 1968 while he was under indictment. The first meeting was at the Loeb-Rhoades office. When I asked Williams about his associations with Weisman, he told me he contacted Weisman upon the recommendation of two mutual acquaintances who knew Weisman had a lot of money he might be interested in investing. Weisman confirmed this to Williams in their conversations and also mentioned that he occasionally had large blocks of stock to sell, Williams recalled.

Williams said he didn't know at the time of the first meeting at the Loeb-Rhoades office that Weisman was under indictment, but was told about it before the second session by some of his Loeb-Rhoades colleagues.

The man Williams recruited to run the Rexair vacuum cleaner franchise in Utica, a town 40 miles east of Syracuse, was John Mandarino, who has been arrested several times in the Syracuse area on charges related to illegal gambling activities and has pleaded guilty once to a bookmaking-conspiracy charge. Williams and Mandarino have been friends for many years.

Though George Hamar didn't know it at the time, the man retained to run the Rexair office in Fulton, NY, a small town north of Syracuse, was Anthony (Baby Face) DeStefano. The New York State Attorney General's Task Force on Organized Crime and the state police have identified DeStefano publicly as a member of the same Mafia organization allegedly behind the IBM stock theft. (DeStefano himself wasn't linked with the theft.) DeStefano currently is under indictment in Syracuse on a charge of promoting gambling in the first degree to which he has pleaded innocent. He registered a Rexair franchise in Fulton in March 1967, but apparently never actively engaged in the vacuum cleaner business.

And for the Rexair franchise in Rochester, Williams obtained the services of Salvatore (Sam) Arcidiacono, a long-time friend and business associate of the Williams family and a good customer of the Loeb-Rhoades office in Syracuse at one time. Arcidiacono was indicted in April 1970 on six counts of criminal income tax fraud covering 1964 through 1966. He pleaded guilty to the first count and was fined $3000 and given five years probation.

Merely associating with people like Weisman, Mandarino, DeStefano and Arcidiacono doesn't violate any law, of course. But the New York Stock Exchange publicly frowns on such contacts for obvious reasons, and high exchange officials have said they aren't aware of any member firm or employe with links to organized crime.

Then there were Williams' allegedly illegal stock transactions.

During much of 1968 and 1969, while he still

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worked at Loeb-Rhoades, Williams was involved in raising capital for two small companies, Electrogasdynamics Inc., or EGD, a Hanover, NJ concern engaged in energy conversion and generating, and Curran Computer Co., a Hackensack, NJ computer-leasing firm.

Using information supplied by Hamar, the SEC investigated and charged last year that Williams had made fraudulent misrepresentations in selling EGD and Curran stock and also committed other violations of federal securities laws, which place very strict limits on the methods used to sell unregistered stock and the number and sophistication of people who buy it. The laws are designed to limit sale of stock unregistered with the SEC to small groups of sophisticated, financially secure investors capable of assessing its worth, and to prevent its being peddled indiscriminately to the naive and unwary. Technical as these laws are, they are a crucial tool in keeping corporate capital-raising markets from becoming a jungle.

SEC investigators alleged that Williams sold unregistered EGD and Curran stock to a large number of people in the Syracuse area but concealed the number and sophistication of the buyers.

A key man in the effort was John Anthony Testone, president of a Syracuse accounting firm. Testone and Williams are old friends and were EGD directors for a time. Testone maintains a branch office of his firm in the nearby town of Fulton on the first floor of a small two-story building that is owned by Baby Face DeStefano. DeStefano lives on the second floor of the building.

Williams assembled groups of investors who bought EGD and Curran stock in Testone's name, according to the SEC. This made it appear that Testone was acting alone in the purchases, even though the total number of actual buyers exceeded SEC limits.

Williams consented to the court injunction against the stock-selling without admitting the SEC's allegations. At this writing, the SEC hasn't disciplined him. The SEC didn't make Testone a defendant to its formal charges.

Before presenting his charges to Loeb-Rhoades' management, Hamar says, he tried talking privately to Williams at the Hamar home outside Syracuse on two Sundays in August and September of 1968. Hamar contends Williams confirmed some of his suspicions, but refused to give up his questionable activities.

Hamar lost hope of convincing Williams shortly thereafter, and gave Paul Shaskan, the Loeb-Rhoades branch manager, a private briefing on his suspicions. In particular, Hamar recalls, he furnished Shaskan with a list of some of the people Williams had contacted about buying the unregistered EGD stock and he referred Shaskan to a work-sheet in Williams' desk in the Loeb-Rhoades office containing the names of prospective investors in Curran Computer.

October 1968, was a frightening month for George Hamar. On Oct. 9, he says, Williams approached him in the Loeb-Rhoades office and quietly told him that he knew he'd told Shaskan his suspicions and that he could have "certain people break your bones if you get me in trouble with Loeb-Rhoades." Hamar says he reported the threat to Shaskan.

On Oct. 24, Williams allegedly took Hamar into a private room off the branch office and told him he knew his five children and where they went to school, and could arrange for "something to happen to them." Hamar recalls that he reported this threat directly by telephone to Henry Darlington, Loeb-Rhoades' branch office administrator in New York City. Darlington said he would check with William Fitzpatrick, Loeb-Rhoades' legal counsel, and find out what to do, Hamar remembers. He says he didn't hear anything further from Darlington or Fitzpatrick about the threats.

On the morning of Oct. 30, Hamar by invitation presented his charges orally to Loeb-Rhoades officials in New York. Present at the meeting in Henry Loeb's office were Loeb, Edward S. Riley, the partner in charge of branch offices; Henry Darlington, the branch administrator; and Shaskan, the Syracuse office manager.

The notes Hamar says he spoke from at the meeting indicate he gave a number of specifics about Williams' stock solicitations, vacuum cleaner activities, associations with the man under indictment, and alleged threats against Hamar.

Hamar says his lawyer advised him against presenting the charges in writing on the grounds it was the firm's responsibility to investigate and develop any formal charges that might be required. The only question the Loeb-Rhoades officials asked him during the meeting was how to spell the name of a company Williams was associated with, Hamar recalls.

That afternoon, Henry Loeb told Hamar the charges were unfounded and he was fired. (Even though Loeb-Rhoades dismissed Hamar, it reported to the New York Stock Exchange he had resigned voluntarily. This meant the firm didn't have to give a reason for the departure as it would have if it had reported a dismissal. Loeb-Rhoades said it reported Hamar's departure as voluntary to avoid "attaching a stigma" to his record.)

Hamar gave formal testimony on the affair to the New York Stock Exchange shortly thereafter. Not long after he told his story to the exchange, he was questioned by a special agent of the intelligence division of the US Internal Revenue Service which, it turned out, was investigating Williams' affairs for possible evidence of criminal tax fraud. Subsequently, Hamar amplified his charges in detailed letters to a host of high officials and staffers of the New York exchange and the SEC.

Apart from the SEC's public charges against Wil-

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liams personally, the commission's investigators have raised questions about Loeb-Rhoades' and, by implication, the exchange's investigation of the matter.

A private memorandum from the SEC's trading and markets division to the full commission dated May 28, 1971, says the division "has serious questions as to the adequacy of the investigation of Williams' activities conducted by Loeb-Rhoades. We also question whether the steps taken to supervise [Williams] were adequate."

The memorandum also states "we are disturbed by Loeb-Rhoades' actions in dismissing Hamar. . . . We are planning to write to the New York Stock Exchange expressing our concern and asking them to review the situation and report the results of the review to us."

The memorandum concludes, however, that Loeb-Rhoades' supervision and investigation of Williams amount to a "borderline situation" and says "it would be difficult to prove Loeb-Rhoades acted improperly in the matter since they did in fact make what appears to be a reasonable attempt to ascertain grounds for Hamar's charges on the basis of information then available." The memorandum doesn't explain the obvious contradiction between this statement and the "serious questions" it raised about the adequacy of the investigation. Nor does the memo recommend any action against Loeb-Rhoades.

SEC and New York Stock Exchange regulations place a heavy supervisory responsibility on the shoulders of brokerage firm management.

New York Exchange rule 342 requires that a firm's management designate a partner or principal officer to "assume overall authority and responsibility for internal supervision and control of the organization and compliance with securities laws and regulations. This person shall delegate . . . responsibility and authority for supervision and control of each office . . . and establish a separate system of follow-up and review to determine that the delegated authority and responsibility is being properly exercised."

The SEC has said regarding brokerage firm supervision: "For a supervisory system to function most effectively, the review process should be virtually a continuous one."

The only Loeb-Rhoades official who would respond in detail to my inquiries about the Hamar-Williams affair was the firm's legal counsel, William Fitzpatrick. It should be noted that Fitzpatrick didn't attend the crucial meetings Hamar had with Loeb-Rhoades officials in late October 1968, but was brought into the case later. In a lengthy interview, Fitzpatrick called Paul Shaskan "superlative . . . an excellent manager." (Shaskan, who still manages the Loeb-Rhoades Syracuse office, recently was named a vice president of the firm. He is a cousin of Sidney Shaskan, a member of the New York Stock Exchange and chairman of Shaskan & Co., a member firm.) Asked for details of the firm's investigation of Williams' alleged sale of unregistered stock, Fitzpatrick said Loeb-Rhoades asked Shaskan to telephone the people whom Hamar had identified as having been contacted by Williams about buying unregistered stock. "They were asked, 'Did Mr. Williams offer, solicit, or suggest anything about the stocks in question?' Each of them denied he [Williams] had done so," Fitzpatrick asserted.

A check with some of the people whose names Shaskan was given, however, casts doubt on how thorough the investigation was. Joe Marano, a Fulton farmer and one of the EGD investors on the list, says Shaskan "never called me." Michael Rotundo, a Curran Computer investor whose name appeared on Williams' worksheet in the Loeb-Rhoades office, said "I wasn't called. I'm positive they didn't call me." Edward Amidon, whom Williams also contacted, asserted: "Nobody from Loeb-Rhoades called me, not Shaskan or anybody else." Michael Tanasyn, also on the list, says Shaskan called him and asked if "Andy put pressure on me to buy stock. I said no." Tanasyn went on to tell me, however, that Williams did contact him "casually" about the possibility of his investing in the unregistered EGD stock.

I asked Fitzpatrick what Loeb-Rhoades had done about the threats Williams allegedly made against Hamar and whether the firm looked into Williams' associations with questionable characters.

After he checked with some of those present at the October 1968, meetings with Hamar, Fitzpatrick replied that one of the participants in the meetings recalled that the group considered the asserted threats "part of Mr. Hamar's package of allegations. The people there concluded they believed Williams, and not Hamar." He added that those present at the meeting "didn't recall" Hamar's mentioning Williams' association with the man indicted for possessing the stolen stock.

I also interviewed Williams at length in a cramped, dirty diner next to his present office in Syracuse. A heavy-set man in his forties with dark receding hair and a genial but nervous manner, Williams said he hadn't "knowingly" violated any law or rule. Of his role in the stock transactions, he asserted: "I didn't understand the rules. I was just trying to do nice things for people. It was like me saying to you 'there's a good hot dog stand on the corner; why don't you try it some time.'" He added that he circulated printed Electrogasdynamics material in the Loeb-Rhoades office. "The branch manager and everybody in the office read it; nobody said anything about me doing anything wrong."

In the face of contrary evidence, Williams continued to maintain his role in the vacuum cleaner business was limited to giving his father a small amount of

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help. In addition to acknowledging his contacts with the man indicted in connection with the stock theft, Williams confirmed his association with Mandarino and Arcidiacono. But Williams blamed some of his employes in the Syracuse Rexair office for getting DeStefano into the vacuum cleaner business.

Williams denied making the threats against Hamar and his children as Hamar described them. "If I said anything, it was 'George, get off my back or I'll knock you down five times,'" he said. (However, one of Hamar's business associates in Syracuse, K. B. Rollins, said he recalls Hamar's talking about the alleged threats at the time. "I remember that George said he'd been threatened with bodily harm and indicated it might involve his whole family. It shook him up quite a bit.")

John Anthony Testone, the accountant who allegedly aided Williams in his stock sales, said he hadn't been familiar with SEC regulations when Williams asked him to put other people's stock in his name. "He came to me as a Loeb-Rhoades representative; I had made money in the stock market through him, and I hadn't any reason to believe there was anything wrong," Testone asserted. Regarding the office he rents from DeStefano, Testone said he took the space because it's in a good location. He said he hadn't been aware of DeStefano's reputation when he arranged the rental and added that it's strictly a tenant-landlord relationship.

George Hamar says he got initial encouragement in pursuing the case from staff-level people at the New York Stock Exchange and the SEC, but very little satisfaction from higher officials. He contends some exchange and SEC officials have been rude or snide to him. "It's Ralphie on the phone again," he quotes one exchange official as having said, a sarcastic reference to Ralph Nader.

Hamar said he doubts further action will be taken in the case because of "close links" between the SEC, the New York Stock Exchange, and the member-firm community. He noted that many SEC and stock exchange officials stay with those agencies only a few years, then move to more lucrative jobs with investment firms. The possibility of such moves, Hamar contends, tends to blunt the officials' regulatory zeal while they're with the agencies.

Hamar cited four men who have been involved in his case. When Hamar first brought his charges, Mahlon Frankhauser headed the New York regional office of the SEC. In 1969 Frankhauser became deputy director of the New York Stock Exchange's member-firms department, its primary regulatory arm. He's now senior vice president and general counsel of CBWL-Hayden, Stone, Inc., a large member investment firm. (Frankhauser and Loeb-Rhoades' counsel Fitzpatrick recently appeared together on a panel on problems of compliance with securities laws.)

David Bliss, who became familiar with the Williams case as an SEC man in both Washington and New York, has moved to the stock exchange's member firms department. Dale Roth, one of the two exchange men who took testimony from Hamar in 1969, now is with Hornblower & Weeks-Hemphill Noyes, specializing in securities law compliance. And Arthur Goldman, associate regional administrator of the SEC in New York when he corresponded with Hamar in 1969, became vice president of Weis, Voisin & Co., a member firm, less than a year later. (Unlike the others Mr. Goldman had been at the regulatory agency about 30 years when he moved.)

Mahlon Frankhauser told me "the exchange cooperated effectively with the SEC (in the Williams case). In any investigation, however, the exchange is hampered by a lack of legal authority to compel people other than employes of member firms to testify."

David Bliss was interviewed on Hamar's allegations. He declined comment on the case but said the "inference" of Hamar's charges of weak regulation is "unfounded." Dale Roth said he doesn't think Hamar's charges are valid, "based on my own experience. If one person leaves an investigation, the next person picks it up and carries on." Arthur Goldman characterized Hamar's statements as "nonsense."

Asked the status of the New York Stock Exchange's investigation of the Hamar-Williams matter, a spokesman said the exchange "let it die" when Williams left Loeb-Rhoades in 1969. (It should be noted that the exchange frequently takes action against former employes of member firms for violations committed while they were with the firms.)

I questioned Hamar on why he hasn't tried through a lawsuit to repair some of the financial damage the case has caused him. He said his lawyer is considering this, but generally feels a suit would be easier to win if he awaits completion of the current federal investigations of the case (the SEC probe and the IRS inquiry). Hamar added he hasn't submitted the case to arbitration through a procedure specified in New York Stock Exchange rules because that precludes later filing a suit.

After many futile attempts, I finally interviewed Henry Loeb briefly by telephone from a hotel room where he was staying in the Madeira Islands. He said "we made a very thorough investigation . . . our conscience is clear. The New York Stock Exchange cleared Williams. We wanted to be fair to him. We couldn't accuse him of something we couldn't prove."

Asked if he felt in retrospect the firm had been fair to Hamar, Loeb said: "That's a question I'd rather not discuss. We did what we thought was fair."

Expressing surprise at my interest in the case, Loeb added: "These were two individuals (Hamar and Williams) – neither is very important."

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Stanley Kauffmann on films

The Hired Hand

(Universal)

McCabe and Mrs. Miller

(Warner Bros.)

Doc

(United Artists)

Three new "new" Westerns.

The best of the lot by far, *The Hired Hand* is seriously flawed but serious, and well worth seeing. It opens with a blurred-focus, slow-motion shot of a stream with one man fishing and another swimming naked. When a film opens with a "lyrical" shot, your heart has a right to sink. But the subject (two men) and the visual tenor turn out to be very much a part of this film. The camera "arias" are integrated most of the time with what the work is after.

Peter Fonda is one of a trio of footloose wanderers in the old West. One of them is murdered for his horse. Fonda and the other pal, Warren Oates, take some revenge, then head back to Fonda's long-abandoned wife and child on a farm – something Fonda had been planning to do anyway, since he's tired of drifting.

On the farm, through the sacraments of hard work, Fonda and his wife are reunited. Oates leaves; is captured by the murdering horse-thief; and Fonda goes to rescue him. The rest is a kind of rite, in which a cycle of continuity is enacted.

Fonda directed, and it's a creditable debut, but the cinematic qualities of the film must be called a three-way job: done by him and Vilgot Zsigmond, the cinematographer and Frank Mazzola, the editor. Zsigmond has tried to unite earth and sky and things and people as coinhabitors of space and time. Mazzola has used almost the whole contemporary editing vocabulary: very slow dissolves (*so* slow that they're not old-fashioned), occasional sequences with alternate frames removed (so that, briefly, the characters move like the astronauts in those early TV shots from the moon), occasional freeze-frames. And he has used the last device a bit differently: a sequence ends with a freeze-frame, which is then followed by another freeze-frame of the very same shot; a sequence begins with a freeze-frame, which is then very gently urged into motion.

The object of all these techniques is, apparently, to refract realism into its essences; and through this visual enlargement, to let a large theme – larger than the story – speak. Trying for this, the filmmakers have not completely avoided some preciousness. A lantern shines conveniently through Fonda's beard to frame him in gold; sunsets are *always* gorgeous; and there is some of that detestable focus-racking. (Changing focus in mid-shot. If the foreground is fuzzy and background clear – or vice versa – the foreground becomes clear and the background fuzzy – or vice versa.) But the richness of the pictures is not just a lot of loose syrup that flows off the screen and into your lap. It's contained by a purpose. Which I'll come to.

As actor, Fonda is earnest and intent, but he lacks substance. He is only quiet, not quietly forceful. He does nothing really wrong, he simply *isn't* enough. It's cruel, perhaps, but true to say that what his role needs is his father, at the son's present age. Oates is pleasing as the taciturn-trusty friend. Verna Bloom, who was the young Appalachian widow in *Medium Cool*, has a good deal of the grim earthy passion needed for the wife. The reticent score by Bruce Langhorne touches the film perfectly from time to time. The clothes by Lawrence G. Paull give homespun veracity.

(But why don't directors and designers watch actors' hands? Don't they know what farmers' hands look like? Not like Fonda's and Bloom's, I can tell them. Make-up and *acting* would help.)

The script by Alan Sharp is mostly straightforward and easy. Because it's so unconcerned with plot, two plotty elements stick out. How does the horse-thief's messenger find Fonda? Why does Fonda ride into that town to face three men openly in a suicidal shoot-out? Both moments are meant to be ritual matters, I suppose: the messenger of fate and the union with that fate; but the mode of the film asks for more plausibility.

And the theme under it all? Nothing less than (let's call it) the Masculine Principle in a time of transition. That principle is the base of the myth of the frontier, the quintessence of the idea of new lands. It's always concerned with men, as bearers of the myth, as adventurers and companions. The greatest American novel, *Moby Dick* (a kind of frontier epic), has an all-male cast. The generic American myth, the Western, is all-male. Women are only ornaments and rewards, never

(continued on page 33)

Films Worth Seeing

Carnal Knowledge. Skilled surgeon Jules Feiffer operates on the US tail-chasing male – with some wit but the patient dies. Jack Nicholson is good though not the Bronxite he's meant to be. Mike Nichols' direction is fine: clear, cool, controlled.

Claire's Knee. Eric Rohmer's chamber-music film about muted and less muted desire, told in a rather cool but quietly delightful way. Lovely color – and a lovely 16-year-old named Beatrice Romand.

The Clowns. A memoir by Federico Fellini of his love for a disappearing act. Sentimental but endearing. Interviews with old clowns, recreations of old acts, and Fellini himself. If you know children who won't mind Italian dialogue with subtitles, it's certainly for them, too.

Little Big Man. Dustin Hoffman in the Old West, as both a white man and an Indian, which enables him to live to 121! The antiwhite moralizing in Arthur Penn's direction is a bit heavy, but there's some picaresque sweep.

Walkabout. Except for a gruesome suicide near the start (and a more touching one near the end), a perfect picture for children. A prettily photographed story of two Australian youngsters – an adolescent girl and younger brother – who get lost in the desert and are befriended by an enchanting teenage aborigine. Parents of small children will probably want to investigate it first, but it's worth the trouble. SK

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Strength Through Tautology

Politics and the Stages of Growth by W.W. Rostow

(Cambridge University Press; $9.50)

In this book Rostow attempts to link an analysis of the political life with his well-known stages-of-growth theory. He sees politics as the effort to balance and reconcile the claims of security, welfare and order, which derive from a concept of man combining Freud's id, ego and superego, or Plato's spirit, appetite and reason. Each of these claims – security, welfare and order – in turn involves reconciling conflicting objectives: security imposes the choice between war and the costs of yielding to the enemy; the social welfare objective imposes the intertemporal choice between welfare now and, through growth, later; the constitutional order imposes the choice between justice (including freedom) and order.

How then is the political life linked to the stages-of-growth? Politics in this Neo-Non-Communist Manifesto is not a Marxian superstructure but obeys its own laws. They run parallel to those of economics and echo Arnold Toynbee's challenge and response.

Political life, according to Rostow, also takes its shape from the dynamics of the stages-of-growth, with their leading sectors. Full adaptation to these defines the equilibrium path, but actual growth paths are deflected by lags, inertia, imperfections, errors, wars, government policies.

The thesis of the book is that the stages-of-growth doctrine can also be applied to political developments. Political disequilibrium arises if there is unbalanced growth in the three main sectors: security, welfare and order, or if these aims are pursued without the provision of adequate 'inputs.' Sukarno, Nasser and Mao are said to have neglected growth in favor of security; Argentina under Illia, Peru under Belaunde, Chile under Frei to have neglected 'inputs' in the form of taxes and political consent. Just as the economic stages are distinguished by different leading sectors with their linkages to the rest of society (textiles, railways), so the political stages are a succession of leads and lags in adjustments to meeting the requirements of the three principal objectives. Americans have, for example, it appears, experienced cycles of activity and passivity in their political life. These are to be explained by lags in responses to new problems posed by the threefold claims. The problems build up until the politicians have accumulated more than a minimum critical mass. They then overreact and the overreaction causes resistance which leads to consolidation and inaction. In all cases, a national reaction to foreign intrusion, actual or threatened, is a prerequisite of modernization. But eventually, as the stage of mass consumption is reached, the chances of peace increase because aggression becomes less attractive. So modernization, economic progress, development are creative responses to the aggressive instinct in man. The general thesis is richly illustrated and the historical and geographical sweep is wide. In the process of expounding it, Rostow makes many stimulating and illuminating observations.

The charms of philosophizing about history in general, and of stage-building in particular, are irresistible. But although the 'theory' is exciting, does it actually tell us anything? Rostow's theory of the stages-of-growth – first economic and now political – has shown considerable strength of survival, in spite of some harsh and damaging criticisms. Its terms have entered the vocabulary of politicians, officials and economists and have supported the optimistic and apologetic bias of development thinking. The theory can-

Our Story

After the ink drink, off
over the miles of white,
nose down, rooting its life
all the way from the Renaissance
or before and bound silently
for Hope's home, God's home, the end,

So goes the pen, to tell
the whole story, up through
the hand and arm into
a code on the thread of time,
or to stare into the earth,
find something the boarhound passed,
an animal that dodged the heather
and left no track: man.

He is here somewhere today,
frightened among us, held
prisoner, doubled back
from the cliff again. Tomorrow,
rested, he has a chance once more –

After the ink drink, off
over the miles of white,
nose down, rooting for life
all the way from the Renaissance
or before and bound silently
for Hope's home, God's home, the end.

WILLIAM STAFFORD

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not – and does not really attempt to – 'explain' events, least of all temporal or spatial differences in the character of development that do not fit the preconceived pattern. When challenged on this ground, the theory withdraws into qualifications and reservations, emphasizing the uniqueness of each culture. It becomes tautological and therefore, though foolproof against criticism, empty of empirical content. But, paradoxically, it is precisely this tendency of the doctrine to swing from illuminating, even exciting, though false propositions to true, though empty tautologies, that gives it strength. The empty tautologies lend it an air of scientific validity, the significant falsehoods an impression of empirical truth. Tautologies take such forms as the proposition that countries grow because they have propensities to grow, where the test of the presence of the propensity is actual growth; or that it is the changing sequence of leading sectors that characterizes the stages of growth, where leading sectors are simply those that happen to be ahead of the others (though later work has attempted to fill this empty economic box); or that industries are bound to grow at a decelerating rate beyond a certain stage, where the definition of industry is such that it abstracts from technical progress. (For if, e.g., the 'textile industry' covers not only natural but also synthetic fibers, its path does *not* decelerate.) Clearly, all these and similar propositions can be (and some have been) given empirical content. But in so far as the theory of the stages-of-growth contains empirical, and therefore refutable, propositions, it selects factors and analyzes their relationships in a manner that neglects important differences in the experiences of different countries at different periods.

The swing from true but empty tautology to significant but misleading statement is also illustrated by the shift from 'conditions' to 'preconditions' of the well-known 'take-off.' 'Industrialization is defined in terms of certain conditions which then, by an imperceptible shift of the writer's wrist, are metamorphosed into historical preconditions.' (Alexander Gerschenkron, *Economic Backwardness in Historical Perspective*, p. 357.) Conditions are part of a definition, preconditions are causes. Causes can next be turned into *necessary* prerequisites for certain sequences. It is then an easy step from the necessity of logic to that of a historical determinism.

What, then, is the purpose of a stages-of-growth analysis? As an explanation of events it fails, not because it explains too little, but because it explains too much. Almost all objections can be accommodated by Rostow. Its function then is that of a political myth in George Sorel's sense – inspiring images of struggle and victory which are needed to drive on weak-willed, inert men. Kolakowski speaks of a 'Fata Morgana which makes beautiful lands arise before the eyes of the members of a caravan and thus increases their efforts to the point where, in spite of all their sufferings, they reach the next tiny waterhole.' The 'take-off into self-sustained growth' is such a Fata Morgana. The logical role of policy guided by a stages-of-growth doctrine, like all prophecy-inspired action, is ambiguous: it is both part of the process analyzed by the doctrine, in which the ends are implicit, and an advocated means to further these ends whenever they are made explicit. In this double role, Rostow is, in the best Old Testament tradition, a prophet: both predicter and reformer.

Although the stages-of-growth doctrine can accommodate most facts, a fundamental flaw is that it cannot completely accommodate the awkward fact that the development prospects of any one country are crucially affected by its coexistence with other countries at different stages of development. To be a first-comer is quite different from being a late-comer and again quite different from being a late late-comer. The constellation of economic and political power groupings was different for England in the eighteenth century, Germany in the nineteenth and India today. It is, for instance, in the nature of modern technology that it is heavily concentrated in the advanced countries and directed at the solution of their problems. This produces a polarization of benefits and costs and sharpens the dualism (not comprehended by aggregate growth figures) not only internationally but also internally in the developing countries. The distribution of gains from economic progress was therefore entirely different in the nineteenth century from what it is today. International trade and investment have not – as is sometimes thought – ceased to be an engine of growth: but it is an engine that also divides and destroys as it moves forward.

This is why the gap between the rich and the poor does matter, although Rostow is bound to reject it as 'abstract and statistically ambiguous.' Neither Rostow's stages-of-growth doctrine nor his apologetics can accommodate the gap. Of course, if differential growth rates for each country are viewed in isolation, each country moving inexorably through its preordained stages, the gap is of no importance.

The Communist Manifesto begins with the sentence: 'The history of all hitherto existing society is a history of class struggles.' Rostow's Non-Communist Manifesto and the present book dismiss the widening income and power differentials in the world today. Yet, the gap matters because there are, for good and ill, numerous repercussions of higher growth rates of the rich on the prospects of the poor, depending upon whether the rich grow because their incomes *and* their numbers grow rapidly, or because their incomes per head grow rapidly. The demand for the staple exports and the new manufactured products of the poor, the availability of spare capital to be invested in the developing countries, the rate of technical innovation, and the growth of synthetic substitutes for primary exports, the flow of international migration, of skilled and unskilled manpower, and of technical knowledge crucially affecting the development prospects of the poor depend upon income differentials and growth rate differentials. Even if all dogs in the manger were kept on chains and if the economics of envy were entirely banned, gaps could not be ignored, because no country is an island, entirely of itself.

It might well be argued that international inequality leads to faster international growth, just as many writers have argued that domestic inequality is necessary to induce effort and savings. In particular, islands of high production are necessary (it might be said) in order to advance technical knowledge on which the fate of the whole of humanity ultimately depends. But a great deal of the stock of technological knowledge which the rich have accumulated is irrelevant or detrimental to the efforts of the poor and the proportion of research and development expenditure devoted to solving their specific problems is very small. So, after all, the crumbs that drop off the rich man's table are

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not worth maintaining his feast.

Redistribution on a world scale from rich to poor world citizens is not on for two main reasons. First, the poor are so many (and are getting more so rapidly) that world redistribution of income would have a negligible impact. Second, it would require a world government. This, both rich and poor countries reject; the rich because they would be impoverished, and the poor because they would condemn it as neo-colonialism. Nor does Rostow think that it is required.

If we cannot have a world government that would promote greater equality, we can at least settle for arrangements that eliminate or reduce the forces making for growing inequalities. The rich can reduce the barriers to trade with the poor countries. They can increase the volume and improve the quality and effectiveness of capital flows: both official assistance and private investment. They can improve the working of the international monetary system, so that it can function like oil in the engine of trade and growth, not, as it has done recently, like grit in that engine. They can provide effective technical assistance, increase the flow of relevant knowledge and plug the brain drain that deprives developing countries of their skilled and professional manpower. They can contribute, by education and training schemes, to the development of the human resources of developing countries. None of these actions can prevent the widening of the gap, but they can mitigate the worse evils resulting from it.

The prospects of each developing country are affected not only by the coexistence of rich and poor, but also by the coexistence in the Third World of very poor and not quite so poor countries, again an awkward fact for a stages-of-growth doctrine. This coexistence may either impair or improve prospects. On the one hand, it is possible for the more successful countries of the Third World to render technical assistance which is more relevant than that of advanced countries far removed from that development experience. Help in family planning, land reform or popular education can often be rendered more successfully by those who have recently tackled these issues themselves. Large countries, like Brazil and India, can supply smaller countries with capital goods: food surplus countries can export food to those who cannot grow enough at home. Countries can embark on multinational industrial enterprises, and Latin America, more relevantly than Europe, can teach others about the problems of integrating a group of developing countries.

Against these advantages of cooperation of poor countries at different levels must be set the dangers of developing countries competing with one another for the limited markets and capital of the rich. Tax concessions and other inducements to foreign capital reduce the benefits to the receiving country, without necessarily attracting more capital. While the prices of manufactured products are administered at a high level by the concerted action of their already rich producers, the prices of many agricultural products are reduced by fierce competition between many poor and dependent producers and their inability to attain or maintain commodity agreements. Increases in productivity of primary production are often passed on in the form of lower prices, to the benefit of rich consumers.

The situation is aggravated by political rivalries. Hostility forces countries to waste their meager resources on armaments. Nationalism hinders cooperation between poor countries at different stages of development. In a scheme of regional integration the least developed fear that integration will hurt their development prospects, while the less underdeveloped are afraid that their tax revenue or skills will be used to subsidize the most backward areas. Prohibitions imposed by one developing country on the movement of the men, money, goods and services of others, in the name of national consolidation, reduce the benefits to be derived from the international division of labor and harm the prospects of development.

The policies of nation-states, both rich and poor, and the growing differences in income per head in different countries have thus created entirely new problems for world integration, which the now developed countries did not have to face in their preindustrial phase. A stages-of-growth doctrine inevitably abstracts from the impact of this new power constellation.

Rostow writes with passion and idealism, if not always with fairness. Views and policies which he opposes are 'obsessional,' or 'pathological,' policies that he approves of are 'purposeful.' The optimism pervading the book is deeply ideological and apologetic of American policy under Kennedy and Johnson and sanguine about the future blessings of American policy. Though a book about politics, international relations are not really discussed as power relations. The stages-of-growth framework rules this out. Thus the changing balance of bargaining power between the large oil companies and the oil exporting countries, or recent events in Chile are probably more important indicators of future Third World relations than liberalizing trade to which Rostow attaches great importance. The pride taken in advances towards multilateral aid, and the plea for even more of it entirely ignore the ineluctable fact that in a world where power rests with nation-states, growing national commitments to multilateral agencies will mean growing countries' involvement in how the agencies spend the money. The grueling ordeal that an American director of the Asian Development Bank had to undergo before a senatorial committee shows Rostow's hopes to be ill-founded. A similar insensitivity to political realities applies to his insistence on self-help criteria for American aid. Even if these criteria, imposed by a powerful donor, are correct, indeed especially if they are correct, the groups inside the recipient country hurt by their adoption will discredit the aid. It is ironical that a book on politics, written by an historian and economist who participated in high political life, should have been written about events and relations in an international political vacuum.

Paul Streeten

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From Zagreb to Wigglesworth

Edsel
by Karl Shapiro

(Bernard Geis Associates; $6.95)

The uneasy sense establishes itself immediately that there is no "distance" between Karl Shapiro and Edsel Lazorow, the unfortunately named narrator-protagonist of this rancid, mean-spirited, snickering, egregiously bad first novel; no essential distinctions, even of raw material, between writer and character; that it is "autobiographical," probably in the literal sense (the publisher says it is), and certainly in the more significant sense that nothing or little of it can have been imagined. On virtually every page, incidents, events, reflections appear or are alluded to which can be explained in no other way than that they must have happened pretty much as given, without the slightest intervening attempt to absorb them into a work of the imagination, and thereby fundamentally transform them. They stick out like running sores.

Take the opening pages. Edsel (we must live with that bad joke of a name for 308 pages) is returning to his university at Milo (read Lincoln, Nebraska, where Shapiro taught for many years) after a State Department-sponsored lecturing tour in Germany, a distinguished poet even if he must say so himself. As an adjunct to a particularly witless and smelly episode in a Hamburg whorehouse, he detours to Zagreb, Yugoslavia, where a PEN Congress is just concluding. Of the Congress itself nothing is said. Edsel observes, in a terrace restaurant, two "lesbian-looking delegates," and wonders if they will recognize him as he "radiated 'writer' to those who could not spot one." That is all: the ladies are never mentioned again. They are mentioned not because Edsel saw them but because Shapiro did, and Shapiro's memory is one of his curses, for he appears to hold the curious view that what his memory retains is sufficient mandate for inclusion, and that random recall is an adequate substitute for, if not actually superior to, invention.

Edsel, who is above congresses, has gone, he says lyrically, "to chat with literary wheels," and adds immediately: "Not that I really cared," never pausing to consider that Zagreb is a long way to go for someone who doesn't really care about such things. On that same terrace he notices the "international poet" Spencer Day, and by this time our ear is so finely adjusted to the dynamics of Shapiro's high comedy that we know, even before being told he's very tall and graced with a "delicate gray-white head," he can only be – not Auden, not Day Lewis, but the other one. And why is he there? To explain intrusively, when a Yugoslav journalist asks Edsel why Edsel didn't attend the Congress, that Edsel "didn't get there"; and having said it, to laugh "meanly" at his "mot juste." With that – without another word or a backward glance – "Day" disappears from the novel. One can only conclude that Spender must in fact have spoken those words; that for some inscrutable reason they burned a hole in Shapiro's head – and that by recording them years later he supposed he was putting paid forever to the name and reputation of that "international poet." One must also conclude that neither Shapiro nor his editor knows what *mot juste* means, just as he doesn't know the meaning of "prescience" and "desideratum," a posh graduate-school word he should know better than to use in the first place – a cheap point I'd not have scored were it not that Shapiro is forever priggishly and nastily hectoring his characters for misusing language.

Minor irritants are so frequent, so relentless, they add up to a prevailing tone, a verbal screen so thick they obscure almost entirely the tale Shapiro never quite gets around to telling. Edsel never wearies, lest we forget, of telling us he's a "famous writer," a "Full Professor," a "Regents Professor," the only member of a crumby provincial faculty who's had a book written *about* him – in short, one of the literary wheels anyone would gladly go at least as far as to Zagreb to chat with. And if he

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didn't tell us all this we'd have no way of knowing, for never before has so fatuous and vacuous a character stood at the center of a book scribbled by a writer of some standing. Edsel doesn't scruple to record the utterly banal lectures he stuns his Creative Writing class with; nor can he let the least word fall without favoring us with his accompanying thoughts. And some thoughts! He sticks an odious character with the Genetesque name Oscar Darling (a homsexual, naturally) and thinks: "Quite a moniker, I thought." He sees a woman eating a sandwich and thinks: "Quite an oral character, I thought"; and of another who did nothing more remarkable than shake his hand upon departing his company: "She's a strange one, I thought." Edsel also smirks and sneers a lot, and rolls his eyes, perhaps the last character to roll his eyes since the decline of Gothic – although he himself, as he says to himself, is "baroque, I would say to myself." And he is hilariously funny; otherwise, why would his auditors laugh all the time. Once, he tells us, he cracked up a "visiting critic" by describing the Faculty Club's coffee as "warmed-over pencil shavings," a relatively minor example of his "barbed-wire wit," though not nearly so telling a one as the time he inscribed one of his books for a lady (he often inscribes his books for ladies at his insistence) and she said simply:"Thank you"; and he replied "Thank *you*" and they "both burst out laughing."

Failures of tone, in life and in art, are not unrelated to failures of feeling and mind. *Edsel's* tone floats inaccurately between pornography and satire, attaining neither, the first failure being one of feeling, the second of mind. Edsel, we are instructed repeatedly, has been impotent for seven years: though he pleasures himself now and again, harmonically, to the strains of Mozart and Scarlatti, he can't so to speak relate. The lady with whom he can't relate, with depressing frequency, is an adept of choicer ecstasies. Their dismal "affair" consists mostly in their shouting obscenities at each other. They meet often in order to do so. Separated, they exchange obscene letters. They can hardly wait until their next tryst, when they may disport by exposing themselves, sometimes adding piquancy to the evening by sharing garish under-the-counter "comic" magazines featuring whips and boots. Yet without wit, without grace, without the boisterous inventiveness and joy of the true pornographer, Edsel is merely embarrassing, squalid, like a wizened uncle who tells scabrous jokes ineptly but enthusiastically to cornered adolescents.

Stuck with such material and a reputation to justify, Shapiro must pretend to some order of seriousness. The attempt is even more lamentable: student protest, the university in turmoil, a drug bust – that scene, no less; the latest mode of university-based writers who, lacking a subject, seek the glossiest surface of newness. Shapiro never takes the trouble to tell us what all the noise is about; the scene is staged for no other purpose than to provide him an opportunity to work off spleen and bile – against blacks (here, Jamaican students who cannot be forgiven for dancing well and making out with girls – *white* girls); against students in general; against pot, though he himself is a constant boozer; against – against anything Shapiro happens to hate, since all these tics and crotchets are never visibly triggered by anything in the novel. Poor old Allen Ginsberg, always good for a laugh (a Jewish Hindu, for God's sake!) is predictably flayed, despite his love and admiration, indeed reverence, for Edsel. Edsel-Shapiro reserves his special odium for a buffoon named Richard Wigglesworth, poet and descendant of the New England poet – the poetaster of "wooden verses" who notoriously affronted the White House by declining an invitation to an Arts Festival. (Guess! Got it? Right on!) Wigglesworth, an inveterate champion of "causes," is always stirring up turmoil – not, of course, because he cares about his absurd causes (civil rights, peace and other fripperies) but because he's an interstate incendiary and insatiable publicity-hound, and also a sinister powerbroker who connives with university presidents and state governors. The caricature is worse than silly.

Potboiler? Potboilers sometimes generate heat, if not light; and *Edsel*, neither a novelist's novel nor a poet's novel, runs from stone cold to soft and clammy. At one point, Edsel sits in his office contending with an accumulation of mail, including a stack of those sodden textbooks by which we enrich publishers and impoverish the young. Having thoughts about them, he thinks they "should never have been written, much less published." Precisely. A *mot juste*.

Saul Maloff

A Benign Boosterism

Columbia and the New Cities by Gurney Breckenfeld

(David McKay; $8.95)

Some say that the New Towns approach to solving problems of overpopulation in our sprawling cities is going to be the "moonshot" of the 1970s. Gurney Breckenfeld reflects this kind of boosterism in his *Columbia and the New Cities*, but his enthusiasm is tempered by two decades as a housing journalist and an editorial stint with *Architectural Forum*, once the home of urban populist Jane Jacobs. He is aware of the immense repair job needed by American cities, and is persuaded that the Gordian knot of zoning, property taxation and fragmented government and ownership will eventually defeat any more modest solution than starting from scratch.

In tracing the movement over two continents and three-quarters of a century, Breckenfeld comes to respect the iron laws of real estate economics and to arrive at two melancholy generalizations: private financing in America is inadequate, and European public housing is drab and enmeshed in state controls. He concludes that in the mixed American economy of the 1970s, with its archaic property laws dating back to the revolt against the tyranny of kings at Runnymede, only the leveraged financial backing of the federal government and managerial expertise of the modern corporation is likely to provide for the realization of new urban environments.

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New Towns as now conceived differ from conventional bedroom communities in several ways. Perhaps most important, the minimal economic size of 30,000 inhabitants and 5000 acres offers an important scale difference from the normal 500-home subdivision; and from the large-scale operation sufficient profits can hopefully be generated to provide, in time, for a better communal environment of parks, recreation facilities of all types, and for that fine-grained diversity of land use and human activity that characterizes superior traditional urban centers. Also significant is the presence of employment opportunities within the large-scale new town community. Columbia, which will eventually cost $2 billion, will house 110,000 people in seven villages on 18,000 acres, 3200 of which will be held as green spaces. The planned-for provision of 30,000 jobs almost equals the predicted 31,000 households. Urban social planners and economists have prescribed a mix of occupations to achieve class balance, and 9000 of the jobs will be primary in that they will be involved in the export of goods and services beyond the confines of the community.

The focus of the Columbia surburb – for it retains the seemingly inevitable suburban look – is "learning." Each neighborhood of 900-1200 families is built around an elementary school. Each village of 3-5000 is focused on a shopping center which is adjacent to the facilities of the junior and secondary high schools. All the villages are tied into an urban downtown representing the usual urban nexus and containing three colleges. Also included in Columbia is a satellite hospital of Johns Hopkins University, a comprehensive prepaid health care plan, the Interfaith Housing Corporation (which provides low-rent apartments) and church buildings shared by Catholic, Jew and Protestant.

All this has been put together by James Rouse who seems to be for the American New Town what George Romney was for the American compact car. This shopping-center entrepreneur has brought the same civic zeal to Columbia that he brought earlier to Volunteers for Ike, the United World Federalists, and the drafting of legislation for the Baltimore metropolitan planning agency. Breckenfeld is clearly a booster of Rouse, but Columbia really exists and is showing excellent prospects of thriving. If such an alternative community, whether termed urban or suburban, can be made to work in the middle of the Wallace and Goldwater country of Howard County, Maryland (which has also copied Columbia's open-classroom practices), Rouse and his band of urban planners deserve boosting.

The financing of New Towns is the most disquieting part. Rouse believes that "the real resources available to the city-building process are the great life insurance companies," and he wound up obtaining his financing from Connecticut General, Teachers Insurance and Annuity of New York, and Chase Manhattan. This trend is applauded by Breckenfeld who explicitly champions the quest to find the "General Motors of City Building," meanwhile echoing Henry George by asserting that "urban land values that accompany population growth should enrich the public rather than private households." His dream is that by converting those values into corporate profits, appropriate controls can force their reinvestment into better urban environment. Want to bet?

In the last couple of years the characteristic economic movement has not been toward public ownership and control, but toward the pyramidal shenanigans of the conglomerates. Levitt Company sells out to ITT. Gulf Oil takes over Reston and ousts its founder. Columbia Broadcasting buys an Ohio building company. Dreyfus Corporation of Wall Street acquires a Michigan firm. And so on.

And aside from the dubious public-spiritedness of these capitalist giants, there are other questions. For example, will the General Motors of city building become a Lockheed? Preferably that to being a Volkswagen. The sterility of Wolfsburg, designed by a Hitler planner for the workers of Volkswagen, is a manifestation of an earlier effort at planned urban environments. Surveys there have found that the average family has no more than two close acquaintances in town; six out of every ten residents dislike their neighbors. Huge concrete walls have been built along lot lines. But so far Columbia, backed by the booster geniality of Rouse, seems to be avoiding both the inefficiency and the sterility of its near models. Let us pray for it.

Gary Gappert

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Kauffmann, *from page 26*

dynamic characters, in the classic Western; and marriage is usually where the story ends. Underneath the Western form is the idea of Natural Men, adventuring together, unbound by women and the society they represent. The wife in *The Hired Hand* tells the husband that his friend, with whom he has wandered for seven years, has had more of him than she has had. When the husband is shot, he whispers to his friend, "Hold me, Arch."

I'm not talking about latent homosexuality – at least not in any libidinous sense. This film is concerned with a theme that literary critics have often discerned in our novels: life as adventure versus life as service, self-love (either the Loner or the man with a human mirror) versus other-love. Essentially, the film is about the crossing, if not the passing, of a frontier. (Note: the wife lives on a farm, not a ranch.) One of the reasons we have all loved good Westerns, as John Ford understood, is their gesture of freedom, from place and possessions: not alone the much-mooted triumph of plain Good over plain Evil but the idea that all your possessions are on your saddle and you can *go* – into great space – and make your way with or against men in much the same situation. (Women have loved Westerns, too, of course, which may indicate an old, deep-seated envy more valid than one of penises.)

But *The Hired Hand* is not about cribbing and confinement, but about maturing (Fonda *wants* to return); not about dimming and decline but about civilization, which, if it still means anything, means increase through loss. In its small, imperfect, moving way, that's what this film celebrates.

Vilgot Zsigmond also photographed *McCabe and Mrs. Miller*, in a different, somewhat misty, less spectacular vein, with lots of smoky interiors. But his fine work here is almost irritating, like hearing a good orchestra play trash. *McCabe* is trash – "liberated," still trash.

Warren Beatty (McCabe) is a supposed gunman who wanders into a Washington State frontier town, c. 1900, and takes over, including brothels. Julie Christie (Mrs. M.) is a cockney madam, for whom he flips but who remains cool. Beatty goes through a lot of self-indulgent clowning and through three unexplained stages of bravado, fluster and bravery before he's killed in a dumb shoot-out. Christie continues her vacuous career in a part that is launched portentously to nowhere.

The script by Robert Altman and Brian McKay, from a novel by Edmund Naughton, evidently assumes that mere candor and eccentricity will tell us what the West was really like. Altman directed *M*A*S*H**, which wandered and was often funny; then *Brewster McCloud*, which wandered and was not funny; now this, which wanders and is repulsive.

I thought the camera would never stop zooming in and out, or italicizing the obvious (a whore's cash-box, a floating dead body). Some of the dialogue is literally inaudible, so casually do the stars act and the recordist record; and the cutting is generally freakish – I suppose to display freedom. (And in this "realistic" film, there is a Negro barber with a pretty wife; the wife is never molested by the drunken, randy miners.)

The thesis seems to be that if you take a corny story, fuzz up the exposition, vitiate the action, use a childishly ironic ending, and put in lots of profanity and nudity, you have Marched On with Time. But what *McCabe* remains is a corny story, badly told.

There are overblown songs by Leonard Cohen, the hip Oscar Hammerstein.

Doc, written by Pete Hamill, is even worse. This is one more telling of the Doc Holliday-Wyatt Earp story (filmed at least three times before), and this time it was supposed to be nitty-gritty: Earp as a scheming grafter, Doc as a pal of whores. Like *McCabe*, this is an old story, told worse. Our recompense is supposed to be the candor: words like "fart" and "asshole" and references to fellatio.

The only thing to be said in Hamill's defense is that Frank Perry, the director, has done everything possible to hinder him. The film looks like a patchwork salvage job; maybe the original script had more point. The slickness that Perry showed in *Diary of a Mad Housewife* is missing. There's not one graceful touch, and there is plenty of clumsiness.

Perry, sometimes able with actors, has flopped with Stacy Keach (Doc). This good stage actor has yet to find a film director who can help him with the dead look of his eyes, seen close. Keach's quality is in vigor and attack, not in strong-silent screen-star personality, which he hasn't got.

Faye Dunaway is the prostitute-heroine in this one: a trite performance of a trite part. In a wild piece of miscasting, Harris Yulin, a short actor of zero presence, plays Earp. With a moustache, Yulin looks like John Qualen, the familiar character actor of the 30s and 40s who did Swedish janitors and timid souls and the father of the Dionne quints. Yulin has no force whatsoever, although he tries to simulate it by widening his eyes from time to time.

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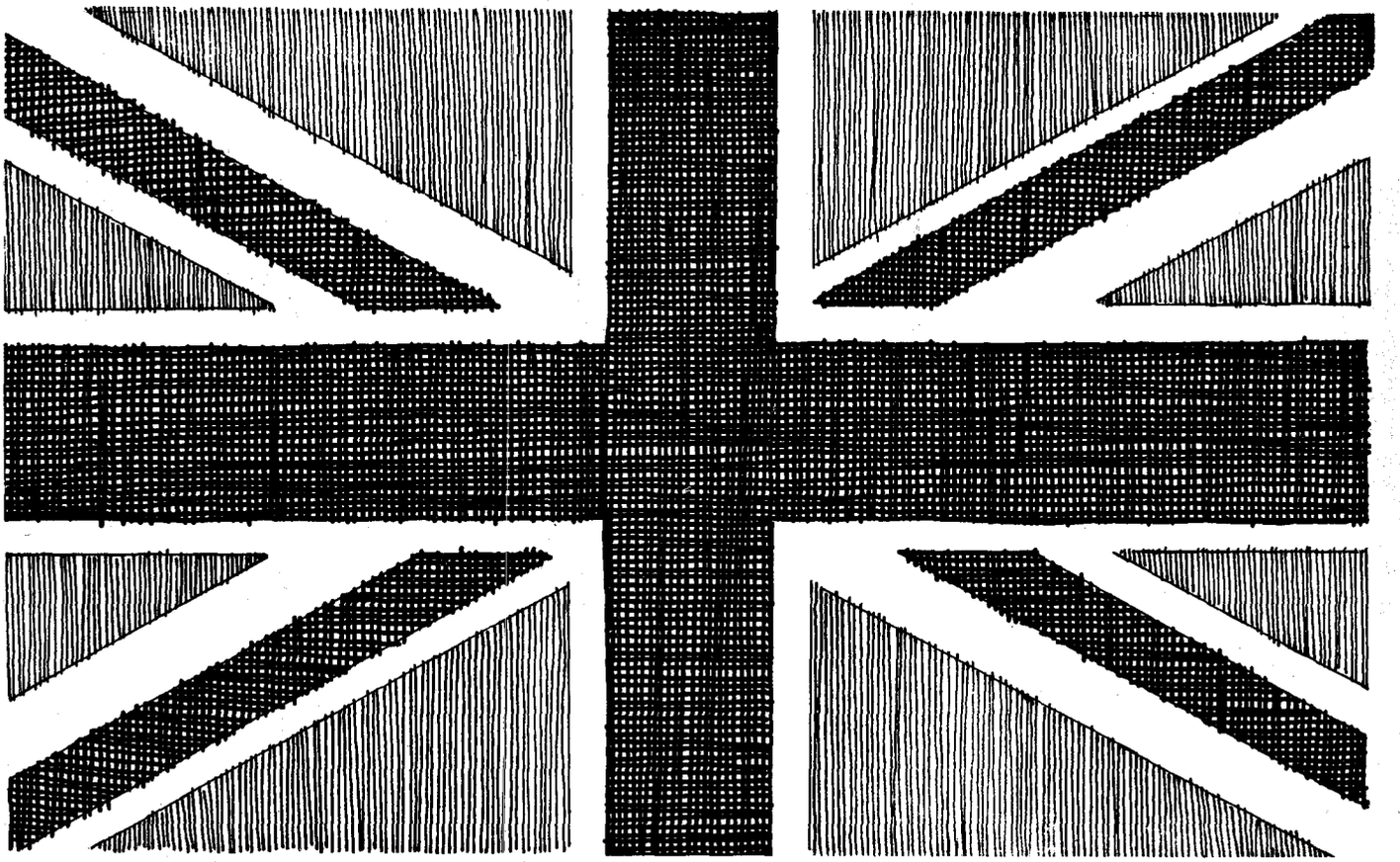

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